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Soviet Union

Economic Affairs

Republic Laws on Regional Development

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**Kazakh Law on Development of Villages,
Agroindustrial Complex**

Text of Law

914A0712A Alma-Ata KAZAKHSTANSKAYA PRAVDA
in Russian 27 Mar 91 pp 2-3

[Text of "Law of the Kazakh Soviet Socialist Republic
'On the Priority Nature of the Development of Villages
and the Agroindustrial Complex in Kazakh SSR'"]

[Text]

Section I. General Principles

Article 1. Tasks of the Legislation Concerning the Priority Nature of the Development of Villages and the Agroindustrial Complex

This Law defines the legal principles for guaranteeing the priority nature of the socioeconomic development of villages and the agroindustrial complex for purposes of improving the supplying of the population with food products and the supplying of industry with raw materials.

Article 2. Rural Settlement Network

1. The rural settlement network in Kazakh SSR to which the action of this Law extends is made up of villages, farms, isolated arable fields, winter huts, and other settlements of transhumance-type animal husbandry and peasant farms, as well as settlements and rayon centers, the population of which is engaged primarily in the spheres of the production, processing, storage, and sale of agricultural output.

2. Populated places are included in the rural settlement network in the procedure established by KaSSR Cabinet of Ministers.

Article 3. Legal Protection of the Rural Settlement Network

1. Kazakh SSR protects the rural settlement network irrespective of the category, size, or place of location of the rural populated places.

2. The development of the rural settlement network is carried out in the harmonious combination of all the forms of settlement that developed traditionally, with each of them having the equal right to existence.

3. The naming, renaming, unification, separation, conversion to another category, and other transformations of rural populated places are carried out in conformity with the legislation of Kazakh SSR.

Article 4. Agroindustrial Complex

1. The makeup of the KaSSR agroindustrial complex includes peasant farms, kolkhozes, sovkhozes, production and consumer cooperatives, enterprises, associations, organizations, and other management subjects that:

- are engaged in the production of agricultural output; produce producer goods for agriculture;
- guarantee the processing, storage, and sale of agricultural raw materials and output produced from those raw materials;
- service the rural settlement network.

2. Branches of the national economy, enterprises, organizations, and other management subjects are included in the system of the agroindustrial complex by KaSSR Cabinet of Ministers.

Article 5. Economic-Organizational and Legal Guaranteeing of the Priority Nature of the Development of Villages and the Agroindustrial Complex

The priority nature of the development of villages and the agroindustrial complex is guaranteed by means of:

- the granting to the commodity producers in the agroindustrial complex of equal rights for the free choice of the forms of ownership, management, and the disposal of the results of their labor;
- the first-priority allocation for ownership or use of plots of land to agricultural commodity producers;
- the changing of the structure of investments in the national economy; the reorienting of them toward the first-priority resolution of the social programs for villages and toward the creation of the material-technical base for the agroindustrial complex;
- the complete resource support of the capital investments and the steady supplying of output intended for technical-production purposes, with the use of the opportunities provided by the state production order for purposes of the complete satisfying of the production needs and the development of the social infrastructure;
- the guaranteeing of equivalent barter between industry and agriculture;
- the regulating of the relations between the commodity producers in the agroindustrial complex and the state, with the use of budgetary financing and the granting of a series of preferences in the providing of credit, taxation, and insurance;
- the carrying out of a purposeful demographic and migrational policy with the purpose of creating the optimal balance of labor resources for the village and the city;
- the development and expansion of fundamental and applied research at the expense of budgetary financing; the introduction of the achievements of science and technology into agricultural production;
- the organizing of a modern system for training and retraining personnel for the branches of the agroindustrial complex;

- the expansion and deepening of the foreign-economic ties of the kolkhozes, sovkhoses, peasant farms, enterprises, and other commodity producers in the agroindustrial complex;
- the creation for all the citizens permanently residing and working in rural localities of the conditions for satisfying their everyday-household and social-cultural needs;
- the formation of a modern social infrastructure for the village;
- the reinforcement of partnership relations between the enterprises in the city and the village; the development of mutual aid and cooperation.

Article 6. Guaranteeing the Priority Nature of the Development of Villages and the Agroindustrial Complex When Developing Programs and Production Orders

1. The new programs for the socioeconomic development of the republic, regions, and branches cannot be adopted without taking into consideration the priority nature of the development of villages and the agroindustrial complex.

2. The development of production orders for construction-installation operations for villages and the agroindustrial complex and the providing of them with material-technical and financial resources and equipment are carried out first of all and in the volumes stipulated by the construction-planning and estimate documentation.

Article 7. Independence of the Choice of the Forms of Ownership and Management

1. The commodity producers in the agroindustrial complex independently choose the forms of ownership and management.

2. Interference in their economic activities on the part of state, public, or other agencies or organizations is not permitted, other than the instances stipulated by legislation of Kazakh SSR.

Article 8. Equality of the Forms of Management in the Agroindustrial Complex

Kazakh SSR guarantees the creation of equal legal conditions for management for all the commodity producers in the agroindustrial complex, irrespective of the forms of ownership.

Article 9. First-Priority Allocation of Plots of Land to Agricultural Commodity Producers

Land suitable for agriculture is offered first of all to peasant and personal subsidiary farms, kolkhozes, sovkhoses, cooperatives, and other producers of agricultural output.

Article 10. Participation of Industrial Enterprises, Associations, and Organizations in the Development of the Social Infrastructure of the Village and the Agroindustrial Complex

Industrial enterprises, associations, and organizations have the right, on the basis of a mutual understanding, to channel into the development of the social infrastructure of the village and agricultural production a part of the volume of the output produced or the profit received by them, which part is not subject to taxation.

Section II. Priority Nature of State Investments

Article 11. State Centralized Capital Investments Channeled into the Development of Villages and the Agroindustrial Complex

The percentage of the state centralized capital investments (guaranteed by the financial limits for contract operations and by resources) channeled into the development of the village and the strengthening of the material-technical base of the agroindustrial complex must exceed by no less than 10 points the share of the agroindustrial complex in the republic's national income, which share is determined as the average for the previous five years.

Article 12. Financing the Programs for Development of Villages and the Agroindustrial Complex

1. When financing the social infrastructure of the village and the programs for developing the agroindustrial complex, priority is given to structures intended for housing and social-cultural purposes, the processing and storage of agricultural output, land reclamation, the development of systems for electrification, gasification, water supply, heat supplies, means of communication, and the highway network.

2. The financing of target programs and state measures for the socioeconomic development of villages and the agroindustrial complex, the list of which is approved by Kazakh SSR Supreme Soviet upon a representation made by KaSSR Cabinet of Ministers, is carried out at the expense of the republic budget.

Section III. Construction in Rural Localities

Article 13. Architectural-Design and Technical Guaranteeing of Construction

1. Architectural-design and technical guaranteeing of construction in rural localities is entrusted to the KaSSR State Committee for Architecture and Construction.

2. The basic principles for the architectural-design and technical guaranteeing of rural construction are:

- the comprehensive designing of the territory's development;
- the formation of a free market in designs;
- the development and introduction into mass construction of progressive plans for buildings intended as housing or other public use, including housing-production complexes for peasant farms and multifunctional complexes.

Article 14. Quotas for Construction of Projects in the Social Infrastructure in Rural Localities

For purposes of constructing housing, projects intended for public-health use, social security, education, culture, sport, personal needs, electrification, gasification, heat supply, water supply, plumbing, and the providing of telephone service and other means of communication, quotas are established for the village, which guarantee the creation of a modern infrastructure and the raising of the comfort level in the living conditions in rural localities.

Article 15. State Production Order for Construction Operations and the Financing of Those Operations

1. The construction of projects intended for housing and social-cultural purposes, the processing and storage of agricultural output, land reclamation, the system of electrification, gasification, water supply, heat supply, the providing of telephone service and other means of communication, and the highway network, which construction is fulfilled at the expense of state centralized capital investments, is carried out on the basis of a state production order.

2. The construction of the projects indicated is financed from the state budget, other state centralized funds, and the funds belonging to the farms, and is guaranteed by the material-technical and financial resources in full volume.

Article 16. Road Construction

1. All the roads linking rural populated places with the network of general-use roads, including roads within the confines of those populated places, are included in the category of general-use roads and are transferred to KaSSR Ministry of Motor Roads.

2. For purposes of accelerating road construction in rural localities, in addition to the centralized budgetary financing a KaSSR nonbudgetary road fund is created.

The procedure for the creation and use of the fund are established by KaSSR Cabinet of Ministers.

Article 17. Individual Housing Construction

1. The local soviets of people's deputies guarantee the development of individual housing construction in rural localities and create for builders, including workers in the social sphere and the service sphere, preferential conditions for being supplied with building materials and equipment, and for being provided with services and long-term interest-free bank credit.

2. Interest-free bank credit granted for the construction of a home is paid off by the builder in equal shares over a 30-year period. Labor collectives of agricultural enterprises and the local soviets of people's deputies have the right to pay off the credit at the expense of their own funds completely or partially.

3. Half the long-term credit for housing construction that is granted to families of newlyweds aged up to 30 years is paid of at the expense of budgetary or farm funds five years after the activation of the structure.

4. Rural inhabitants residing in an individual home are granted interest-free credit for improving the utilities in the home, and for remodeling or modernizing it.

5. The banks are compensated from budgetary funds for the losses linked with the granting of interest-free credit.

Article 18. Establishment of Quotas for Sale of Building Materials and Structural

KaSSR Cabinet of Ministers and the local soviets of people's deputies establish for enterprises in the construction industry that are not part of the agroindustrial-complex system quotas for sales to the village of building materials and structurals that are produced by them.

Section IV. Priority Nature of Providing Support With Material-Technical Resources

Article 19. Supporting Requisitions for Material-Technical Resources

Kazakh SSR, during the period of the transition of the economy to market relations, creates conditions for the first-priority and complete providing of support with material-technical resources for peasant farms, kolkhozes, sovkhozes, cooperatives, and other enterprises, associations, and organizations in the agroindustrial complex in conformity with the contracts that have been concluded or the volumes of the state production order.

Article 20. State Production Order for Delivery of Output to the Agroindustrial Complex

1. The state production order for delivery of output intended for technical-production purposes to the agroindustrial complex is established by KaSSR Cabinet of Ministers on the basis of recommendations made by KaSSR Ministry of Agriculture and Food Products and by other ministries and departments, and includes the most important types of that output in volumes that completely satisfy the standardized needs of the complex.

2. The state production order for delivery of output to the agroindustrial complex is mandatory for execution by all the enterprises and organizations situated on the territory of Kazakh SSR, irrespective of the branch or department to which they belong, or the forms and types of ownership.

Article 21. Accounting for the Needs of the Agroindustrial Complex When Concluding Interrepublic Delivery Contracts

The needs of the agroindustrial complex for output intended for technical-production purposes, which output is produced outside the confines of Kazakh SSR,

is taken into account in a mandatory procedure when concluding interrepublic delivery contracts.

Article 22. Priority Nature of the Concluding of Contracts and the Shipment of Output

Enterprises that are producers of output for the agroindustrial complex, irrespective of the economic ties that had developed previously, and proceeding from the standardized needs of the complex, conclude contracts and guarantee the shipment of output to the agroindustrial complex on a first-priority basis.

Article 23. Priority Support of Shipments of Output

Transportation organizations support the shipments of output for the agroindustrial complex on a first-priority basis.

Section V. Equivalency of Barter and Price

Article 24. Guaranteeing the Equivalency of Barter

1. Kazakh SSR, during the period of creation of the market economy, guarantees the equivalency of barter between agriculture and industry, or between agriculture and other branches of the national economy, through a system of contracted purchase prices for agricultural output and raw materials, and fixed state prices for producer goods, material resources, and rates for services.

2. As market structures form in the economy, the sphere of state price regulation decreases and there is a corresponding increase in the sphere of application of free prices and rates.

Article 25. Supporting the State Production Order with Material-Technical and Financial Resources

For purposes of creating conditions for the self-interestedness of agricultural enterprises in accepting a state production order for the delivery of very important types of output, Kazakh SSR supports the production order with the necessary material-technical and financial resources in accordance with standards that are differentiated depending upon the natural and economic conditions of the various regions of the republic.

Article 26. Guaranteeing the Parity of Prices of Agricultural and Manufactured Output

1. To guarantee the parity of prices of manufactured and agricultural output, there is an annual indexing of them.

2. Agriculture is guaranteed compensation for the expenses caused by an increase in the price of manufactured output.

3. The procedure for carrying out the indexing and compensation for the additional expenses to agricultural is determined by KaSSR Cabinet of Ministers.

Article 27. Prices of Consumer Goods

Consumer goods the prices of which are regulated by the state are sold in rural localities and in the city at uniform prices.

Section VI. Taxes and Interrelationships With the Budget

Article 28. Tax Benefits for Agricultural Commodity Producers

1. Kolkhozes, sovkhozes, and other agricultural enterprises for which the land is the basic producer good, pay a uniform land tax. With the introduction of the uniform land tax, they are not required to pay taxes on profit, on transportation means, or on self-propelled vehicles and machinery.

2. Kolkhozes, sovkhozes, and other agricultural enterprises are not required to pay the turnover tax on the sale of output produced from local raw materials or from raw materials resulting from their own production.

3. Newly created peasant farms are not required to pay any types of taxes for three years.

4. The profit derived by enterprises from the production of output in poultry breeding or animal husbandry on an industrial basis is taxed at the rate of 10 percent.

5. The profit derived by subsidiary farms of industrial enterprises, organizations, and associations as a result of the production of agricultural output is not subject to tax.

Article 29. Tax Benefits for Enterprises, Associations, and Organizations in the Agroindustrial Complex

1. The profit derived by enterprises, associations, and organizations of the meat, dairy, bakery, and fruit- and vegetable-processing industries, as well as enterprises involved in the initial treatment of wool or in cotton-ginning, is taxed at the rate of 10 percent.

2. No tax is levied on the profit derived by enterprises, associations, or organizations in the agroindustrial complex that is channeled into the development of the material-technical base, the conducting of scientific-research or experimental-design operations, the preparation and assimilation of new progressive technological schemes and types of output, the instruction, training, or retraining of personnel, or environmental-protection measures.

3. No tax is levied on profit derived during the first two years of operation of small enterprises engaged in the production or processing of agricultural output, and during the next two years the tax on profit is paid by them in the amount of 50 percent of the established rates.

Article 30. Tax Benefits for Enterprises, Associations, and Organizations That Are Not Part of the Agroindustrial Complex

1. The profit derived by enterprises, associations, and organizations that are not part of the agroindustrial complex and that results from the processing or storage of agricultural output is taxed at the rate of 25 percent.

2. The profit derived from the production of new progressive types of output for the agroindustrial complex is not subject to taxation for a two-year period.

The types of output the profit from the production of which is not subject to taxation are determined by Kazakh SSR Cabinet of Ministers.

Article 31. Tax Benefits for Construction Organizations

The profit derived by enterprises, associations, and organizations, irrespective of the forms of ownership, that results from construction-planning and construction-and-installation operations, the production of building materials and all types of equipment for projects intended for production and civil-housing purposes, the construction, remodeling, repair, and maintenance of the highway network in rural localities, as well as projects involved in the processing or storage of agricultural output, is taxed at the rate of 25 percent.

Article 32. Benefits for the Creation of Branches, Shops, and Subsidiary Trades in Rural Rayons With a Surplus of Labor Resources

1. The profit derived by enterprises, associations, and organizations that is channeled into the creation of their branches, shops, or subsidiary trades in rural rayons with a surplus of labor resources is not taxed.

2. The list of rayons with a surplus of labor resources is approved by Kazakh SSR Cabinet of Ministers on the basis of a representation made by the local soviets of people's deputies.

Section VII. Social Benefits For the Rural Population

Article 33. Providing of Consumer Goods. Providing and Offering of Services

The providing of the rural population with consumer goods and with medical, cultural, transportation, and other services, and the offering of personal services are carried out on conditions that are equal with the city.

Article 34. Priority in Providing the Rural Population With Individual Types of Commodities

1. Commodity resources are distributed in proportion to the size of the urban and rural population.

For individual groups of consumer goods, increased quotas for the rural population are established by KaSSR Cabinet of Ministers.

2. Priority is established for villages in being supplied with building materials, furniture, complicated household appliances and radio equipment, commodities for children, agricultural stock, motor transportation, and heavy-duty motorcycles.

When distributing market allocations and resources for sale in rural localities, the commodities in the groups indicated are allocated per-capita of population in a quantity exceeding the shipments to the urban trade network.

Article 35. Providing the Rural Population With Electric Power and Fuel

1. The rural population enjoys electric power at preferential rates.

2. The need of the rural population for fuel is supported in conformity with the standards in full volume.

3. Militia district inspectors residing and working in rural localities are not required to pay for their fuel, municipal services, or electric power. The benefits stipulated by Part 3 of Article 44 of this Law also extend to them.

Article 36. Self-Contained Power Support in Areas of Transhumance-Type Animal Husbandry That Are Relatively Inaccessible

For purposes of creating the optimal conditions for the residents of rural settlements situated in remote or relatively inaccessible parts of the desert, semidesert, and mountainous terrain, Kazakh SSR guarantees, in response to requisitions from the farms, the designing and construction, at the expense of funds from the republic and local budget, of systems for solar and geothermal heat supply, hot water supply, wind-power and biotechnical units, and hydroelectric equipment for individual application.

Article 37. Benefits For Resettlement to Rural Localities

1. Persons who resettle in accordance with organized recruitment to rayons that are inadequately provided with labor resources in order to work in agriculture, as well as specialists in public health, public education, culture and sport, communication, and personal and other spheres of service who are sent to those rayons in response to requisitions from farms and village soviets of people's deputies, are granted the following benefits:

- the providing of individual homes or apartments with farm buildings and garden plots;
- freedom from payment for housing, fuel, and municipal services for the first two years after resettlement;
- the rendering of free assistance and the providing of preferential credit for organizing a personal subsidiary farm and stocking it with livestock;
- payment, at the expense of funds from the state budget, of a lump-sum monetary grant in aid to set up a farm, in the amount of 2000 rubles for the head of the family and 500 rubles for each family member;

- the reserving of housing space at the place of previous residence for the contracted period of working in the rural locality.

2. Housing constructed in rural localities at the expense of funds from the budget or the farm can be transferred to resettlers as their personal property after five years, in accordance with a decision made by the local soviet of people's deputies or the farm's labor collective.

3. The list of rural rayons that are insufficiently provided with labor resources and the procedure for concluding resettlement contracts are established by KaSSR Cabinet of Ministers on the basis of a representation made by the local soviets of people's deputies.

Article 38. Benefits For Workers in Transhumance-Type Animal Husbandry

1. Workers in transhumance-type animal husbandry are granted the following benefits:

- the providing of official housing space with farm buildings on the transhumance site;
- construction, in accordance with the worker's request, on the central farmstead at the expense of funds from the budget or the farm, of a home (apartment) with farm buildings, which, after the expiration of five years of work in transhumance-type animal husbandry, is transferred to the worker's personal ownership;
- freedom from payment for fuel, municipal services, and electric power;
- maintenance, in boarding schools or at boarding facilities attached to general schools, of transhumance-husbandry workers' children up to the age of 17 years, with complete state support;
- first-priority providing of trip tickets to sanatoriums, rest homes, and other therapeutic institutions;
- granting of the right to receive a pension based on age: for men, upon reaching the age of 55 years, with work longevity of no less than 20 years, no less than 10 years of which were in transhumance-type animal husbandry; and for women, upon reaching the age of 50 years, with work longevity of no less than 15 years, no less than 10 years of which were in transhumance-type animal husbandry.

2. The list of categories of workers in transhumance-type animal husbandry to which the benefits stipulated by this article extend is approved by KaSSR Cabinet of Ministers on the basis of a representation made by the local soviets of people's deputies.

Article 39. Benefits For Pension Support of Mothers of Large Families

Women residing in rural localities who have given birth to five or more children and who have raised them to the age of 8 years have the right to receive a pension based on age upon reaching the age of 45 years, with a total work experience of no less than 10 years, including no less than 5 years in agricultural production.

Section VIII. Public Health, Public Education, and Culture

Article 40. Financing of Social and Cultural Institutions

Social and cultural institutions in rural localities are financed at the expense of the republic budget and local budgets.

Article 41. Developing the Network of Public-Health Institutions

1. Kazakh SSR guarantees to the rural population free, universally accessible, skilled medical assistance and carries out measures aimed at bringing closer together the levels of medical services provided to the rural and urban population.

2. The network of public-health institutions in rural localities is developed with a consideration of the nature of the settlement that has occurred, proceeding from the purpose of guaranteeing the accessibility and timeliness of rendering medical assistance. As a rule, each rural inhabited place must have at least one medical worker.

3. KaSSR Ministry of Public Health, the local soviets of people's deputies, and the farms, on a first-priority basis, allocate to public-health institutions the necessary equipment and means of transportation and communication.

Article 42. General-Educational Schools and Children's Preschool Institutions

1. Kazakh SSR guarantees the creation of a modern material-technical base for general-educational schools and children's preschool institutions, and allocates for this purpose the necessary financial and material resources.

The needs of the rural schools and children's preschool institutions for teacher personnel are satisfied in full volume.

2. The functioning of the educational system in rural areas is carried out on the basis of a series of standards conforming to the present-day requirements for supporting the educational process.

3. General-educational schools of all types, including understaffed ones, boarding schools, and boarding facilities attached to general schools, for the children of workers in transhumance-type animal husbandry, are opened on the basis of a decision by the local soviets of people's deputies, proceeding from the population's needs, without a limitation of the number of students.

4. Understaffed schools are closed only with the consent of the population.

5. The local soviets of people's deputies provide for the regular free busing of students to and from general-educational schools, as well as free meals for students in the primary grades, at the expense of the farm funds.

Article 43. Development of Culture

1. Kazakh SSR encourages the development of various forms of culture among the rural population, including unique national forms, folk art, trades, and handicrafts.

2. Funds are allocated on a first-priority basis for the construction and equipping of houses of culture, club houses, libraries, children's musical schools, and structures intended for physical-culture, therapeutic, and sports purposes.

3. Institutions of culture and sport in rural localities are not required to pay any types of payments to the local or republic budget.

Article 44. Benefits For Workers in Public Health, Social Security, Public Education, Culture, and Sports

1. Workers in public health, social security, public education, culture, and sports who are working in rural localities are paid salaries or wage rates that are at least 25 percent higher than the rates paid to specialists engaged in those types of activity under urban conditions.

2. Workers in public health, social security, public education, culture, and sports who are working and residing in rural localities are not required to pay for fuel, municipal services, or electric power.

3. Workers in public health, social security, public education, culture, and sport who have privately-owned livestock are provided with fodders and plots of land for pasturing their livestock, on a par with the workers at agricultural enterprises.

Section IX. Scientific and Personnel Support of the Agroindustrial Complex

Article 45. Scientific Support of the Development of Villages and the Agroindustrial Complex

1. In the interests of the scientific support of the priority development of villages and the agroindustrial complex, fundamental and applied scientific research and construction-planning and experimental-design operations are carried out.

2. The responsibility for the scientific support of the priority development of the agrarian sector is entrusted to the Kazakh Academy of Agricultural Sciences.

Article 46. Financing of Scientific Research

1. Kazakh SSR guarantees the financing of fundamental and applied scientific research and the experimental-design operations carried out by branches of the agroindustrial complex, including the expenditures for capital construction, at the expense of the funds from the state budget in the amounts of no less than 1.5 percent of the national income created by the agroindustrial complex.

At such time, target programs are financed by priority procedure on a competitive basis.

2. For the first-priority resolution of the most critical scientific problems in the development of villages and the agroindustrial complex, other sources of financing can also be used.

3. The profit derived by scientific-research and construction-planning and prospecting organizations as a result of the execution of operations for the agroindustrial complex is taxed at the rate of 25 percent.

Article 47. Training, Retraining, and Refresher Training of Personnel

1. The occupational training and retraining of personnel for the agroindustrial complex are carried out by a system of state and cooperative institutions and organizations, as well as on an individual basis.

2. Special agricultural education is financed at the expense of budgetary funds, as well as on the basis of contracts with enterprises, associations, organizations, and interested citizens.

Article 48. State Support of the Rural Population in the Sphere of Higher and Secondary Special Education

1. In all higher and secondary educational institutions, provision is made for a quota for admitting students and schoolchildren from among the rural youth. The quota and the conditions for forming the contingent of students and schoolchildren are determined in the procedure established by KaSSR Cabinet of Ministers.

2. The children of workers in transhumance-type animal husbandry enjoy the right of noncompetitive admission to higher and secondary special educational institutions.

Section X. Foreign-Economic Activities of the Agroindustrial Complex

Article 49. Regulation of the Foreign-Economic Activities of the Agroindustrial Complex

The foreign-economic activities of the agroindustrial complex are regulated by the state in conformity with the legislation of Kazakh SSR.

Article 50. Exclusive Right to Establish Quotas for the Exporting of Output Produced by the Agroindustrial Complex

The exclusive right to establish quotas for the exporting of output produced by the agroindustrial complex belongs to Kazakh SSR.

Article 51. Coordination of the Foreign-Economic Activities of Enterprises, Associations, and Organizations of the Agroindustrial Complex

1. The foreign-economic activities of enterprises, associations, and organizations of the agroindustrial complex are coordinated by KaSSR Ministry of Agriculture and Food Products.

2. When establishing quotas and issuing licenses for the exporting of output produced by the commodity producers in the agroindustrial complex, the participation of KaSSR Ministry of Agriculture and Food Products is mandatory.

3. The priority right to obtain licenses in the amounts of the quota for export shipments of agricultural output and raw materials is granted to their basic producer.

Article 52. Currency Fund For the Agroindustrial Complex

1. Kazakh SSR forms a special currency fund for the agroindustrial complex.

2. The special currency fund is formed at the expense of deductions from the exporting of output, operations and services, and proceeds from the union-level currency fund and other sources.

3. The money in the special currency fund is used to guarantee the priority nature of the development of villages and the agroindustrial complex. The use of the money in the fund for purposes other than those for which it was intended is prohibited.

4. The procedure for formation and use of the fund is defined by the statute governing the special currency fund for the agroindustrial complex, which statute is approved by KaSSR Supreme Soviet on the basis of a representation by KaSSR Council of Ministers.

Section XI. Guaranteeing the Execution of the Law

Article 53. Execution of the Law

The guaranteeing of the execution of this Law is entrusted to KaSSR Cabinet of Ministers and the local soviets of people's deputies.

Article 54. Need to Take Into Consideration the Statutes in the Law When Developing and Enacting Other KaSSR Legislative Acts

The statutes in the KaSSR Law entitled "Priority Nature of the Development of Villages and the Agroindustrial Complex in Kazakh SSR" are taken into consideration when developing and enacting other KaSSR legislative acts.

Article 55. Responsibility for Violation of the Law

Persons guilty of violating the standards and requirements of this Law bear responsibility in conformity with legislation of Kazakh SSR.

[signed] *N. Nazarbayev, president of the Kazakh Soviet Socialist Republic, Alma-Ata, 13 February 1991.*

Decree on Implementation of Law

914A0712B Alma-Ata KAZAKHSTANSKAYA PRAVDA
in Russian 27 Mar 91 p 3

[Text of "Decree of KaSSR Supreme Soviet Concerning the Implementation of KaSSR Law Entitled: 'Priority Nature of the Development of Villages and the Agroindustrial Complex in Kazakh SSR'"]

[Text] The Supreme Soviet of the Kazakh Soviet Socialist Republic decrees:

1. The implementation of KaSSR Law entitled: "Priority Nature of the Development of Villages and the Agroindustrial Complex in Kazakh SSR," effective 1 April 1991, and of Articles 11, 14-16, 18, 20, 25, 39, 40, Part 1 of Article 28, Part 1 of Article 44, and Part 1 of Article 46, effective 1 January 1992.

2. The establishment that Articles 11, 12, 15, 18-20, 25, 26, and 34 of KaSSR Law entitled: "Priority Nature of the Development of Villages and the Agroindustrial Complex in Kazakh SSR" are in effect until 1 January 1996.

3. The committees of KaSSR Supreme Soviet, when preparing and reviewing new legislative acts, are to take the requirements of this Law into consideration.

4. The establishment of the fact that, prior to the putting of the legislation of Kazakh SSR into conformity with KaSSR Law entitled: "Priority Nature of the Development of Villages and the Agroindustrial Complex in Kazakh SSR," the legislative acts of Kazakh SSR that are in effect are to be applied, insofar as they do not contradict this Law.

5. KaSSR Law entitled "Priority Nature of the Development of Villages and the Agroindustrial Complex in Kazakh SSR" is to be applied to legal relationships that arose after its implementation, that is, after 1 April 1991, other than the legal relationships stipulated by Articles 11, 14-16, 18, 20, 25, 39, 40, Part 1 of Article 28, Part 1 of Article 44, and Part 1 of Article 46, to which these articles apply as of 1 January 1992.

6. Prior to 1 April 1991, KaSSR Cabinet of Ministers is instructed:

- to submit for approval by KaSSR Supreme Soviet the "Aul" [mountain village] program for socioeconomic development, that stipulates measures to implement this Law, including the priority development of the remote rayons;
- to define the procedure for including populated places in the rural settlement network;
- to establish a list of branches in the national economy, enterprises, organizations, and other management subjects that belong to the system of the agroindustrial complex;
- to approve, in conformity with Article 48 of this Law, the procedure for establishing quotas and conditions for forming the contingent of students and schoolchildren in higher and secondary special educational institutions;

prior to 1 July 1991:

- to develop and submit for approval by KaSSR Supreme Soviet a statute governing the special currency fund for the KaSSR agroindustrial complex;
- to approve the list of categories of workers in transhumance-type animal husbandry to whom the benefits stipulated by Article 38 of this Law extend;

- to define the procedure for granting, for individual housing construction, interest-free bank credit, the amount of that credit, as well as the procedure for compensating the banks for their losses;
- to develop increased standards for the financial and material-technical resources for the construction of the projects in rural localities that are indicated in Article 14 of this Law;
- to approve, in conformity with Articles 32 and 37 of the Law, the lists of rural rayons that have a surplus of labor resources and that are insufficiently provided with labor resources, as well as the procedure for concluding resettlement contracts;
- to develop increased standards for providing the rural population with building materials, furniture, complicated household appliances and radio equipment, commodities for children, agricultural stock, and means of transportation, including heavy-duty motorcycles;
- to consider the question and to make a decision concerning the procedure and conditions for resettling to Kazakh SSR those persons who have expressed the desire to work in rural localities and who are of the indigenous nationality in other union republic or foreign countries;

prior to 1 October 1991:

- to put the decisions made by the KaSSR government into conformity with the KaSSR Law entitled: "Priority Nature of the Development of Villages and the Agroindustrial Complex in Kazakh SSR";
- to guarantee the reconsideration and replacement by KaSSR ministries, committees, and departments of their normative acts that contradict this Law;
- to define the procedure for indexing and compensating agriculture for the additional expenditures linked with the increase in the prices of manufactured output delivered to the agrarian sector;
- to develop standards for material-technical and financial resources to guarantee the state production order for producing a unit of agricultural output depending upon the natural and economic conditions in the specific regions of the republic;
- to define the procedure for creating and using the nonbudgetary highway fund intended for the construction and maintenance of the highway system in rural localities;
- to approve the list of enterprises in the construction industry that are not part of the system of the agroindustrial complex, and to establish for them quotas for the sale of building materials for the republic's agrarian sector.

7. KaSSR Supreme Soviet's Committee for Agrarian Questions and Food Products is instructed to guarantee the monitoring of the rate of implementation of the measures stipulated by this decree and, if necessary, to make the appropriate proposals to KaSSR Supreme Soviet.

[signed] Ye. Asanbayev, chairman of KaSSR Supreme Soviet, Alma-Ata, 13 February 1991.

Commentary

914A0712C Alma-Ata KAZAKHSTANSKAYA PRAVDA
in Russian 27 Mar 91 p 3

[Article, under rubric: "Commentary on the Law: Face to Face With the Village"]

[Text] In the interminable complaints about the constantly worsening shortage of food products and consumer goods, we frequently forget one simple truth: everything is linked with the land. The land is our ultimate provider, the absolute beginning of everything. And so the only way that we can assure plenty of food on our tables is to succeed in overcoming the crisis in agricultural production.

How are we to get out of this crisis? The answer to such a complicated question is provided by the Kazakhstan parliament: by means of the priority development of the villages, the returning to the peasantry of all the debts that society excessively took away from it at all the historic stages of its development. That, then, is the principle that was taken by the people's deputies as the basis for the new Law that was enacted by them. KazTAG correspondent U. Serikbayev has asked Ivan Grigoryevich Arkhipov, secretary of the KaSSR Supreme Soviet's Committee on Agrarian Questions and Food Products, to comment on that Law.

Commentary

I shall begin by saying that agriculture is the Gordian knot of our problems. And it will be no simple matter to cut that knot. The Law enacted by parliament stipulates that the priority nature of the development of the villages and the agroindustrial complex in Kazakhstan will be implemented in several directions. First, by means of changing the structure of investments in the republic's national economy, by reorienting them toward the first-priority resolution of social programs for the villages and the creation of a reliable material-technical base for the agroindustrial complex. Secondly, at the expense of the complete resources support of the capital investments and the steady supplying of output intended for technical-production purposes. Thirdly, by the creation for all the citizens residing and working in rural localities of the proper conditions to satisfy their everyday-household and social-cultural needs. Almost two billion rubles are being released from the republic's budget during the current year alone to implement this Law.

The agroindustrial complex especially needs, during the period of transition to the market, the country's economic support. Therefore a mechanism for its material-technical support has been developed, and that mechanism makes the volume of investments in the APK [agroindustrial complex] directly dependent upon the share of its output in the republic's national income. The allocated funds must be channeled first of all into housing and social-cultural construction, the processing and storage of agricultural output, land reclamation, the development of systems of electrification, water supply, means of communication, the highway network, etc.

The Law also stipulates the establishment for the villages, in per-capita terms, of increased standards for financial and material-technical resources for the construction of housing and projects in the social infrastructure. For purposes of accelerating the construction of roads in rural areas, in addition to the budgetary appropriations, use will also be made of a special nonbudgetary fund.

In order to guarantee the parity of prices of manufactured and agricultural output, it is planned to carry out an annual price indexing, and also to guarantee the compensating of agriculture for the expenditures resulting from the regular increase in prices of manufactured output.

In addition, the Law contains approximately legal standards that guarantee the levying of taxes on a preferential basis on agricultural producers. It is stipulated that kolkhozes, sovkhozes, and other rural enterprises for which the land is the basic means of production pay a uniform land tax and are not required to pay the taxes on profit or means of transportation.

I might also note that, for the first time in legislative practice, stipulation has been made for the exclusion right of Kazakh SSR to establish quotas for the exporting of output production by the republic's agroindustrial complex.

Another important area in the new Law is that which stipulates the enacted standards that reinforce a series of benefits for the rural population. Now that population will be provided with consumer commodities and a series of services on the generally accepted urban conditions, and for individual groups of commodities the rural population will have the supply priority. The development of the network of establishment in public health and education will be carried out irrespective of the size of the populated places. A large number of benefits have also been stipulated in pension, municipal, sanatorium, and other support, and in the payment for the labor performed by rural residents.

The implementation of the Law entitled: "Priority Nature of the Development of Villages and the Agroindustrial Complex in Kazakh SSR" will make it possible to increase the stability of agricultural production, to keep labor resources permanently in the rural areas, and, consequently, to prove the resolution of the main task—to create an abundance on the food-supply shelves in our republic.

Tajik Law on Local Self-Government, Local Economy

914A0663A Dushanbe *KOMMUNIST*
TADZHIKISTANA in Russian 9, 10 Apr 91

[Text of "Law of Tajik Soviet Socialist Republic 'On Local Self-Government and Local Economy in the Tajik SSR,'" in two installments]

[9 Apr 91, pp 2-3]

[Text] Local self-government in the Tajik SSR is a form of people's sovereignty, on the basis of which the rights of citizens and their real participation in the resolution of questions of socio-economic development of the territory and problems of local significance are realized.

The law on local self-government and the local economy regulates the general basics and principles of building a mechanism of interaction and competency of local self-government organs in the Tajik SSR.

Local self-government in the Tajik SSR is implemented directly by the citizens or through their elected organs, stemming from the interests of the population and the peculiarities of the administrative-territorial division of the republic, and based on the laws and the corresponding material and financial foundation.

The effect of the Law on Local Self-Government extends also to monofunctional settlements (territories of military towns, closed type settlements).

Section I. System and Principles of Local Self-Government

Chapter 1. System of local self-government

Article 1. The system of local self-government in the Tajik SSR includes the local Soviets of People's Deputies, the organs of territorial public self-government (centers for local self-government, microrayon soviets and committees, makhalin, house, and kishlak committees, social formulations and public associations), local referendums, citizen's meetings and other forms of direct democracy.

Article 2. Local self-government is implemented within the boundaries of the administrative-territorial units of the Tajik SSR on the basis of three levels.

The first territorial level of local self-government in the Tajik SSR are the city (rayon subordination), village, and kishlak Soviets of People's Deputies and the organs of territorial public self-government.

The status and authorities of the organs of territorial public self-government are determined by the statute on them ratified by the appropriate rayon Soviet of People's Deputies.

The second territorial level comprises rayon, city, and city rayon Soviets of People's Deputies, with the appropriate executive organs.

The third territorial level of local self-government is comprised of the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast, the oblast and Dushanbe city Soviets of People's Deputies and their executive organs.

Article 3. The organs of local self-government function in close interaction with the labor collectives, the public organizations and movements, and create conditions for

the realization of each Tajik SSR citizen's constitutional right to participate in the management of state and public affairs.

Chapter 2. Principles of local self-government

Article 4. Local self-government is built on the principles of:

- priority of interests and will of the people;
- legality, protection of rights and provision of interests of citizens living in the appropriate territory;
- democracy, glasnost and consideration of public opinion;
- independence and responsibility for resolving questions of local significance;
- regional economic accounting, building interrelations with enterprises and farms on contractual principles;
- control by and answerability to the population;
- participation of citizens in the discussion, preparation, adoption and realization of resolutions;
- combination of local and state interests.

Section II. General Principles of Activity of Self-Government Organs

Chapter 1. Local Soviets of People's Deputies—the primary link in the system of local self-government

Article 5. The primary link in local self-government are the local Soviets of People's Deputies as the representative organs of power. The local Soviets independently form their own organs and determine their power and authorities in accordance with the present Law, establish the structure, rates, system and fund of the labor wage. On their territory, the local Soviets coordinate the activity of the entire system of local self-government.

Article 6. Local Soviets of People's Deputies are empowered, and organs of territorial public self-government (centers of local self-government) may be empowered with the status of a legal person.

Article 7. The local Soviet of People's Deputies is guided in its activity by the USSR Constitution, the Tajik SSR Constitution, the USSR Law "On general principles of local self-government and local economy in the USSR", by the present Law, and by other laws of the USSR and Tajik SSR.

Article 8. The order of holding elections to the local Soviet is determined by the Tajik SSR Constitution and the Tajik SSR Law: "On elections of deputies of local Tajik SSR Soviets of People's Deputies."

Article 9. The local Soviet of People's Deputies, directly and through its created organs, manages state, economic, social and national-cultural construction on the territory within its sphere of jurisdiction; independently develops

and approves plans for economic and social development and the local budget, and reports on their fulfillment; coordinates the activity of enterprises (associations), institutions and organizations in the local economy; ensures the adherence to laws and protection of state and public order and the rights of citizens.

The local Soviet of People's Deputies, within the limits of its authority, provides for the comprehensive economic and social development of its territory; coordinates the work of all enterprises on development of the social sphere, production of consumer goods, application of labor resources, local types of raw goods and materials and secondary resources, environmental protection and application of natural resources, and controls their adherence to USSR and Tajik SSR legislation; aids in the development of cost accounting, leasing, the contract order and other progressive forms of economic organization.

Economic relations of the local Soviet of People's Deputies with enterprises, associations and organizations which are not under communal ownership are based on tax and contract principles. The relations which exceed the scope of the agreements are implemented through the labor collective councils and other organs of production self-government.

On questions relating to its competence, the local Soviet of People's Deputies has the right to hear reports by managers of enterprises, institutions and organizations, make decisions on them, and introduce proposals to the appropriate superior organs.

The proposals of the Soviet are subject to mandatory review, the results of which must be reported to it no later than in one month's time.

Enterprises and organizations, regardless of their subordination on questions indicated in part two of this article, must necessarily correlate plans with the local Soviet. If this order is violated, the local Soviet has the right to adopt a resolution stopping production at [these enterprises]. The Soviet's decision to stop production may be appealed in court.

In developing plans for economic and social development of the territory and in compiling the budget, the local Soviets of People's Deputies take into consideration the mandates of the voters, approved in the order established by law, organize fulfillment and implement control over their realization.

The order of organizing work with voter mandates is defined by Tajik SSR legislative statutes.

Article 10. The statutes of the Tajik SSR Supreme Soviet and its organs, of the Tajik SSR president, the Tajik SSR Cabinet of Ministers, as well as the resolutions of higher Soviets and their executive-directive organs which are adopted within the limits of their jurisdiction, are mandatory for fulfillment by the subordinate Soviets of People's Deputies and their organs.

On questions which touch upon the interests of the territory, the local Soviet has the right to invite representatives from the appropriate ministries and departments and executive committees of higher Soviets to the sessions and meetings of the permanent commissions. The local Soviet's executive committee and the governing board of the appropriate ministry, state committee, USSR and Tajik SSR department, or executive committee of a higher Soviet of People's Deputies may also hold joint meetings on these questions.

The higher local Soviet, within the limits of its jurisdiction, interacts with the lower Soviets of People's Deputies, coordinates their activity in implementing the laws of the USSR and the Tajik SSR, the statutes of the Tajik SSR president and Tajik SSR Cabinet of Ministers, the plans for economic and social development, comprehensive all-state, republic, inter-sectorial and regional programs; studies, generalizes and disseminates the positive experience of the work of the Soviets and provides for the development of forms and methods of their activity, training and advanced training of workers in the Soviet organs.

The local Soviet of People's Deputies, guided by the Tajik SSR Constitution and the present Law, implements interaction with the Soviets of other administrative-territorial units for the joint construction of housing, facilities of household and social-cultural function, rational application of labor resources, organization of mutually beneficial exchange of industrial and food products, economic expenditure of fuel-energy and other resources, creation of free economic zones, formulation of territorial-intersectorial associations, and resolution of other questions of economic and social development. For these purposes, the local Soviets may develop joint target comprehensive programs, create joint agencies, combine financial and material resources, conclude agreements and contracts with foreign partners on the sale and purchase of products at the expense of available currency means or on some other basis. They may form joint enterprises for the manufacture of consumer goods and provision of public services or housing-communal management, or enterprises for processing agricultural products. They may participate with foreign partners in the joint development of scientific, cultural, tourist, physical culture-health treatment centers and other organizations for economic and scientific-technical cooperation associated with provision of up-to-date equipment and means of mechanization to the social and production spheres, and development of their material base.

The relations between the Soviets of various administrative-territorial units are built on a contractual basis, with the broad application of economic and legal methods.

A legal form of interrelation between local Soviets is the agreement on delegation of various powers and authorities within the activity of the Soviets.

In this case, the predominant right to delegate powers and authorities to superior as well as to subordinate organs of self-government is enjoyed by the second level of the system of Tajik SSR local self-government.

Decisions of the higher Soviets on questions within the sphere of joint competency cannot be made without correlation with the lower Soviets.

Chapter 2. Sessions of the local Soviet of People's Deputies

Article 11. The organization and order of work of the local Soviets of People's Deputies are determined by the appropriate Soviets independently on the basis of the principles of this Law and other Tajik SSR legislative statutes, and secured in the Soviet regulations.

The basic form of work of the local Soviets of People's Deputies is the Soviet session.

The sessions of the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast and the oblast Soviets of People's Deputies are convened by their presidiums, and in the rayon, city, city rayon, village and kishlak Soviets of People's Deputies—by the executive committees. Where the ispolkom has not been formed—they are convened by the chairmen of the appropriate Soviets as needed, but no less than twice a year.

The session of the local Soviet of People's Deputies consists of its meetings and the interim meetings of the local Soviet's permanent and other commissions.

The first session of the newly elected Soviet is convened: In the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast and in the oblast Soviets—by the Soviet presidium of the preceding convocation; in the rayon, city, city rayon, village and kishlak Soviets of People's Deputies—by the Soviet ispolkom of the preceding convocation; and in places where ispolkoms have not been formed—by the chairman of the Soviet for the preceding convocation.

The first session of the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast, the oblast and Dushanbe city Soviets of People's Deputies, is convened no later than in a period of three weeks, and in the other Soviets—in a period of no later than two weeks after the elections of local Soviet deputies.

The first session after the elections is called to order and chaired by the chairman of the appropriate Soviet's electoral commission, until a new chairman is elected.

The first session of the oblast Soviet in a newly formed oblast is convened by the Tajik SSR Supreme Soviet or by its Presidium no later than within a three week period from the day of formation of the oblast, and in the case of holding elections to the Soviet of a newly formed oblast—no later than in a three week period from the day of the elections to the oblast Soviet.

The first session of the rayon, city, and city rayon Soviet in a newly formed rayon, city, or city rayon is convened by the presidium (executive committee) of the higher Soviet of People's Deputies, and in the rayon or city of republic subordination—by the Tajik SSR Supreme Soviet Presidium no later than within a two week period from the day of formation of the rayon or city. If elections to the Soviet of a newly formed rayon or city are held, the first session is convened no later than within a two week period from the day of elections to the appropriate Soviet.

The first session of the village or kishlak Soviet in a newly formed village or kishlak Soviet is convened by the executive committee of the higher Soviet of People's Deputies no later than within a two week period from the day the population center was classed in the category of city type settlement or from the formation of the kishlak Soviet. If elections are held to the Soviet of a newly formed village or kishlak Soviet—no later than within a two week period from the day of the elections to the corresponding village or kishlak Soviet.

The sessions have legal competence if no less than two-thirds of the overall number of deputies of the corresponding Soviet participate in them. Extraordinary sessions of the local Soviet are convened at the initiative of the chairman of the Soviet, presidium, or Soviet ispolkom, at the suggestion of permanent commissions, and also at the demand of no less than one-third of the Soviet deputies.

The time of convocation and the location of holding the session, as well as the questions presented for review by the Soviet, are reported to the deputies and the public:

—by the presidium of the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast, the presidiums of the oblast Soviets of People's Deputies and executive committee of the Dushanbe city Soviet—no later than two weeks prior to the session (for an extraordinary session—one week prior);

—by the executive committee of the rayon, city, and city rayon Soviet—no later than 10 days prior to the session (extraordinary session—five days prior);

—by the executive committee (chairman) of the village, kishlak, or city (rayon subordination) Soviet—no later than five days prior to the session (extraordinary session—three days prior).

The questions to be reviewed by the sessions of the local Soviets of People's Deputies are introduced by the chairman of the appropriate Soviet, its presidium, executive committee, permanent commissions and groups of deputies in the number established by the regulations of the appropriate Soviet, and may be augmented and changed at the session during review of the agenda. The organs of territorial public self-government may propose questions for review at the Soviet session.

The sessions of local Soviets are conducted openly. Representatives of the labor collectives, public organizations and movements, means of mass information and citizens may all participate in them.

For the time of conducting the session, the local Soviet elects a secretariat from among the deputies, using an open ballot. The city (rayon subordination), village and kishlak Soviets elect a session secretary.

A resolution is adopted on the election of the secretariat, as well as the secretary of the session.

The state flag of the Tajik SSR is raised over the building where the session of the Soviet of People's Deputies is being held, for the entire duration of the session, and over the building of the local Soviet of People's Deputies—continuously.

Article 12. The local Soviets of People's Deputies have the right to examine and resolve any questions related to their sphere of competence by USSR and Tajik SSR legislation.

The following questions are resolved exclusively at the sessions:

1) admission of powers and authorities of the deputies, resolution of questions on premature cessation of powers of the deputies in cases proscribed by legislation;

2) election of chairmen and deputy chairmen of the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast and the oblast Soviets of People's Deputies, as well as their dismissal;

3) election of a presidium for the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast, presidiums for the oblast Soviets of People's Deputies, and changes in their membership;

4) election of executive committee chairmen of the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast, executive committees for the oblast Soviets of People's Deputies, assistant chairmen of executive committees, as well as their dismissal;

5) in rayon, city, city rayon, village and kishlak Soviets of People's Deputies—election of a Soviet chairman-executive committee chairman and his assistants, as well as an ispolkom secretary, and their dismissal from their duties;

6) election of the Soviet's executive committee changes in its membership;

7) forming, electing and altering the membership of the permanent commissions, and electing their chairmen;

8) forming, reorganizing and managing sections, administrations, and other organs of the Soviet executive committee, ratifying and dismissing their managers, ratifying the structure and staff of the executive-directive and other subordinate organs;

9) forming other commissions of the Soviet and the executive committee, ratifying and changing their membership;

10) reviewing and ratifying the plan of measures for fulfilling the mandate of the voters;

11) hearing reports by Soviet chairmen, permanent commissions, the executive committee, and other organs formed by or elected to the Soviet, as well as their appointed or confirmed officials;

12) reviewing petitions of deputies and making decisions on them;

13) ratifying Soviet regulations;

14) ratifying plans and programs for economic and social development of the territory of the Soviets, and reports on their fulfillment;

15) ratifying the budget and reporting on its implementation, distributing supplemental budget funds, and also ratifying estimates and reports on the expenditure of surplus-budgetary funds;

16) redistributing property and individual powers and authorities in the sphere of economic and social-cultural construction between the Soviet and the Soviets of other levels at their mutual agreement, as well as transferring individual powers and authorities to organs of territorial public self-government, along with transfer of part of the financial means, resources and property to them;

17) defining the list of facilities of the local economy; ratifying the list of facilities held under communal ownership and their status;

18) setting tax rates on profits for enterprises and other facilities of the local economy relating to the Soviet's communal property; setting the amounts of local taxes and collections, as well as tax incentives and payments which go into the local budget;

19) reviewing and resolving questions of administrative-territorial division within the limits of its jurisdiction;

20) granting the organs of territorial public self-government the right of a legal person;

21) in accordance with Tajik SSR legislation, adopting resolutions and establishing regulations specifying administrative responsibility for their violation;

22) rescinding permission for economic activity or stopping work of enterprises (associations), institutions and organizations if they violate legislation on environmental protection, land use and application of local natural resources, sanitation and public health, or safe utilization of labor resources, or in other cases of violating the legislation;

23) rescinding directives of the Soviet chairman, resolutions of the Soviet presidium, resolutions and directives

of the Soviet executive committee, and statutes of enterprises (associations), institutions and organizations which are under communal ownership;

24) stopping the effect of statutes passed by organs of territorial public self-government, enterprises (associations), institutions and organizations which are not under communal ownership, if these statutes violate the law and the legal interests of the citizens living on the territory of the Soviet, or if they limit the rights of the Soviet as established by law;

25) instituting means of mass information for the appropriate Soviet, and ratifying their managers;

26) reviewing and ratifying projects for planning and building population centers;

27) at sessions of the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast—electing judges and people's jurors of the Gorno-Badakhshan Autonomous Oblast; at sessions of oblast or the Dushanbe city Soviets of People's Deputies—electing judges of rayon (city) people's courts and people's jurors of the appropriate oblast courts and the Dushanbe state court; appointing a chief state arbitrator and ratifying the oblast arbitrators;

28) resolving other questions as specified by Tajik SSR legislation.

Article 13. The local Soviets of People's Deputies adopt resolutions within the limits of the powers and authorities granted to them by the Tajik SSR legislation, and provide for their fulfillment.

The resolutions of the local Soviet of People's Deputies are mandatory for fulfillment by all the enterprises (associations), institutions, organizations, officials and citizens located on the territory of the Soviet.

The resolutions of the local Soviet of People's Deputies are adopted by a majority of votes of the overall number of Soviet deputies, with the exception of cases when Soviet regulations provide for a different order, and signed by the Soviet chairman.

Within no more than 10 days, the Soviet informs the appropriate organizations and officials of the resolutions which it has passed. They, in turn, must review these resolutions within the established time period, and inform the Soviets of the results of their review. If this requirement is not fulfilled, the Soviet has the right to forward to the superior organ a presentation on imposing disciplinary actions, up to dismissal from their occupied position, on the managers of the enterprises and organizations, including those which are under superior jurisdiction.

The results of review of the presentations must be reported to the appropriate Soviet or its chairman within no later than one month's time.

Article 14. At the session, the local Soviets of People's Deputies elect a Soviet chairman from among the delegates of this Soviet, with the voting taking place by secret ballot. The chairman will serve for the term of the Soviet's authority.

Soviet chairmen, with the exception of the chairman of the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast and the chairmen of the oblast Soviets of People's Deputies, serve concurrently as chairmen of the executive committees of the given Soviet. The same person cannot be elected to the position of Soviet chairman or Soviet chairman-executive committee chairman for more than two consecutive terms.

The chairman of the oblast Soviet and the Soviet chairman-executive committee chairmen in rayon, city, city rayon, village and kishlak Soviets are considered elected if they receive over half of the votes of the total number of Soviet deputies. The positions of chairman of the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast and Soviet chairmen-executive committee chairmen of the rayon, city, city rayon, village and kishlak Soviets of People's Deputies are vacant.

The Soviet chairman and Soviet chairman-executive committee chairman fulfills his duties until a Soviet chairman, Soviet chairman-executive committee chairman of the new convocation is elected.

The question of early dismissal of the chairman of an oblast Soviet or Soviet chairman-executive committee chairman may be presented for review by the Soviet at the demand of no less than one-third of the Soviet elected deputies.

The Tajik SSR president has the right to present proposals to the appropriate Soviet regarding the dismissal of the oblast Soviet chairman and the oblast Soviet executive committee chairman, and the Soviet chairman-executive committee chairman in cases where they are unfit for their occupied position.

The decision on their dismissal is made by a majority of votes of the total number of deputies in the appropriate Soviet.

The Soviet chairman-executive committee chairman:

- informs the deputies and the public of the time and place where the session is to be held, and also presents a preliminary list of questions submitted for review by the Soviet and its resolutions;
- manages the preparations for the Soviet session and the questions introduced for its review;
- chairs meetings of the Soviet session, signs resolutions, protocols and other statutes adopted by the Soviet;

- reports to the Soviet on the state of affairs and other important questions; informs the Soviet about his activity, and presents an annual report to them;
- introduces for the Soviet's consideration proposals on the creation and membership of permanent commissions, and coordinates the activity of permanent commissions and deputy groups;
- presents to the Soviet of People's Deputies candidates for election to the position of his deputies, ispolkom secretary, as well as ispolkom section and administration managers;
- ensures the timely review of appeals by citizens addressed to the Soviet and its organs;
- represents the interests of the territory subordinate to the Soviet within the republic, and in foreign economic relations;
- represents the Soviet in relations with state and public organizations, ensures interaction of the Soviet of People's Deputies with the labor collectives and organs of territorial public self-government;
- exercises other authorities within the limits of jurisdiction of the appropriate Soviet of People's Deputies.

Article 15. The local Soviet of People's Deputies, at the proposal of the Soviet chairman, elects a Soviet deputy chairman from among the deputies present at the session. At the authority of the Soviet chairman, he performs his individual functions and takes his place in case of the chairman's absence or inability to perform his duties.

Article 16. The local Soviet of People's Deputies forms permanent commissions from among the deputies to conduct a preliminary review and preparation of questions relating to the Soviet's sphere of competence, as well as to aid in the fulfillment of resolutions of the appropriate Soviet of People's Deputies, and to implement control over the activity of state organs and organizations located on its territory.

The permanent commissions of the local Soviet of People's Deputies:

- perform a preliminary review of the plans for economic and social development of the appropriate territory, review the budget and reports on plan and budget fulfillment, draw up their comments and proposals, and if necessary submit these comments and proposals to the Soviet;
- perform work on identifying additional reserves and capacities for the development of local industry, housing, municipal services and improvements, and improving socio-cultural, domestic and other public services. They prepare proposals on these questions and introduce them for review by the appropriate Soviet and its executive committee;

—verify within the limits of their authority the work of sections and administrations of the Soviet executive committee, enterprises, institutions and organizations, and introduce proposals for review by the Soviet and the executive committee;

—exercise other authorities provided by Tajik SSR law and by the regulations of the appropriate Soviet of People's Deputies.

During the period of authority, the Soviet may form new permanent commissions, dissolve or reorganize previously created ones, and introduce changes into their membership.

The permanent commissions and their chairmen are elected by the local Soviets of People's Deputies at the first session of the Soviet and for the duration of its term.

At the first meeting, the permanent commissions elect a commission secretary from among their members, and if necessary also a commission deputy chairman. The commissions may form subcommissions on basic directions of their activity.

The chairman of the respective Soviet, his deputies, or the oblast, rayon, or city procurator cannot be elected for membership in the local Soviet's permanent commissions.

The permanent commissions are responsible to the Soviet which has elected them, and are subordinate to it.

Article 17. The permanent commissions have the right to involve in their work deputies of the respective Soviets who are not members of the permanent commissions, as well as scientists, specialists, practical workers and other persons.

In dealing with questions relating to their sphere of competence, the permanent commissions of the local Soviet of People's Deputies have the right to hear reports by heads of sections and administrations of the Soviet executive committee, enterprises, institutions and organizations located on the appropriate territory, regardless of their departmental affiliation.

On questions relating to their sphere of competence, permanent commissions have the right to demand the submission of documents, written conclusions and other materials from state and public agencies and organizations, and from their officials.

The permanent commissions develop recommendations and adopt resolutions on the questions under review.

The resolutions of the Soviet's permanent commissions are subject to mandatory review by the appropriate state and public agencies, enterprises, institutions and organizations. The adoption of measures must be reported to the commissions no later than in a month, or within a different time period specified by the commissions.

Article 18. Local Soviet of People's Deputies permanent commissions on questions introduced for review by the Soviet, as well as on questions whose preparation [these commissions] participated in, may designate their speakers or co-speakers.

The meetings of the local Soviet of People's Deputies permanent commissions are convened in accordance with the commission's work plan.

People's deputies who are not members of the given commissions, as well as representatives of sections and administrations of the local Soviet ispolkom, and representatives of enterprises, institutions, and organizations located on [the Soviet's] territory may participate in the meetings of the permanent commissions with the right of consultative vote.

Questions relating to the jurisdiction of several permanent commissions may be prepared and reviewed jointly by the commissions.

All members of the permanent commissions have equal rights.

A deputy may be a member of only one permanent commission.

Article 19. The local Soviet of People's Deputies may form temporary or other commissions whose tasks are defined at the time of their formation.

Article 20. The powers and authorities of a local Soviet of People's Deputies deputy, the order of their implementation, as well as the guarantees of the deputy's activity are defined by the Tajik SSR Constitution and the Tajik SSR Law "On the status of people's deputies in the Tajik SSR".

Chapter 3. Presidium of the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast and the oblast Soviets of People's Deputies

Article 21. The work of the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast and the Tajik SSR oblast Soviets of People's Deputies is organized by their presidiums, which are headed by the Soviet of People's Deputies chairman.

The membership of the presidium includes the Soviet chairman, the Soviet deputy chairman, and the chairmen of the permanent commissions. At the decision of the Soviet, other Soviet deputies may also be elected to presidium membership.

The interaction of the presidium and the executive committee, the Soviet chairman and the executive committee of the oblast Soviet of People's Deputies is determined by the Soviet regulations in accordance with the present Law.

Article 22. The Soviet presidium headed by the Soviet chairman:

- convenes the sessions of the Soviet, informs deputies and the public as to the time and place where they are to be held, and provides a list of the questions introduced for discussion by the Soviet, as well as resolutions adopted by the Soviet;
- oversees the preparations for the Soviet session and the preparation of questions introduced for discussion at these sessions;
- represents the Soviet in relations with state and public organizations;
- reports to the Soviet on the state of affairs in its territory and other important questions; informs the Soviet of its activity;
- presents to the Soviet candidacies for election to the duties of Soviet deputy chairman, Soviet executive committee chairman and oblast chief state arbitrator, as well as judges which, according to law, must be elected by the Soviet;
- introduces proposals on creation and membership of permanent commissions for consideration by the Soviet, and coordinates the activity of permanent commissions and deputy groups;
- aids deputies in exercising their powers and authorities and provides them with the necessary information; reviews questions associated with excusing deputies from fulfilling their service or production responsibilities to work in the Soviet, its organs, and in the electoral districts; aids deputies in meeting with citizens, as well as in their reports to voters, labor collectives and public organizations; introduces at the Soviet sessions proposals on questions associated with the realization of the deputies' rights and responsibilities;
- organizes generalization of the voters' mandates, and introduces them for review by the Soviet;
- organizes interaction of the Soviet of People's Deputies with public organizations and labor collective councils;
- aids in the development of glasnost and takes measures for considering public opinion in the work of the Soviet and its organs;
- organizes citizen discussions of Soviet draft resolutions and other vital questions of local, republic and all-union significance;
- introduces to the Soviet session proposals on petitions and complaints about the resolutions and actions of the executive committee and its organs; provides for work on reviewing citizen petitions addressed to the Soviet;
- organizes the preparation of questions for Soviet consideration dealing with control over the fulfillment of Soviet resolutions;

—reviews and resolves questions entrusted to by it legislation and dealing with the organization of elections and recall of people's deputies by the voters.

Article 23. Meetings of the Soviet of People's Deputies presidium are convened by the Soviet chairman as needed, but no less than once per quarter. Deputies who are not members of the presidium may participate in the meetings with the right of consultative vote.

The resolutions of the Soviet presidium on questions related to its jurisdiction are adopted by a majority of votes of the entire presidium membership and signed by the Soviet chairman.

The Soviet of People's Deputies has the right to rescind the resolutions of its presidium.

Article 24. The Soviet of People's Deputies presidium has a stamp bearing the Tajik SSR official state seal, based on the standard approved by the Tajik SSR Supreme Soviet Presidium.

Article 25. The Soviet's apparatus provides for facilitating the activity of the Soviet of People's Deputies and its presidium.

The structure and staff of the apparatus and the labor wage conditions of the workers are determined by the Soviet in accordance with the standards provided by USSR and Tajik SSR legislation.

Chapter 4. Local Soviet of People's Deputies Executive Committee

Article 26. The executive-directive organ of the local Soviet of People's Deputies is the executive committee formed by it. The membership of the Soviet of People's Deputies ispolkom (executive committee) of the Gorno-Badashkhan Autonomous Oblast and the oblast Soviets of People's Deputies includes the ispolkom chairman, his deputies and the ispolkom members.

The membership of the rayon, city, city rayon, village and kishlak Soviet of People's Deputies ispolkoms consists of the Soviet chairman- executive committee chairman, his deputies, the secretary and the ispolkom members.

The number of executive committee members is determined by the appropriate Soviet.

In city (of rayon subordination), village and kishlak Soviets with minimal number of deputies, the executive committee may not be formed. In these cases, the executive-directive functions are performed by the Soviet chairman, and in his absence—by his deputy.

The executive committee is directly responsible to the Soviet which has formed it and to the higher executive-directive organ. It must report no less than once a year to the Soviet which has formed it, and must also inform the labor collectives and the public of its activity.

The executive committee meeting of the Gorno-Badakhshan Autonomous Oblast Soviet of People's Deputies and the oblast Soviets of People's Deputies is convened by the ispolkom chairman, and in rayon, city, city rayon, village and kishlak Soviets of People's Deputies—by the Soviet chairman-executive committee chairman as needed, but no less than once a month. The meetings have legal status if a majority of the executive committee members are present.

The executive committee of the local Soviet of People's Deputies manages state, economic and social-cultural development on its territory on the basis of Tajik SSR laws, statutes of the Tajik SSR Supreme Soviet and its organs, the Tajik SSR president, the Tajik SSR Cabinet of Ministers, resolutions of the Soviet which formed it, as well as higher organs of state power and administration.

The executive committee of the local Soviet of People's Deputies is empowered to resolve all questions of state administration related to the competence of the Soviet, provided they are not the exclusive competence of the Soviet itself.

The executive committee of the local Soviet of People's Deputies:

- develops and introduces for ratification by the Soviet of People's Deputies comprehensive programs for economic development, economic management and social-cultural development of the territory, as well as proposals for the formulation of the local budget, extra-budgetary funds, and changes introduced in the process of budget fulfillment;
- develops a general scheme of management of the local economy;
- organizes the fulfillment of Soviet resolutions;
- concludes leasing agreements with the enterprises in the local economy;
- at the assignment of the Soviet, realizes the rights of ownership of natural resources in its territory and resolves questions of land use;
- presents for Soviet review a plan of measures for fulfilling voter mandates, requests and critical comments of the deputies, organizes their fulfillment and informs the deputies and the public of their realization;
- provides methodological aid in organizing the work of executive committees of lower Soviets and organs of territorial public self-government;
- organizes a citizen discussion of Soviet resolution drafts and other vital questions of local, republic and all-union significance;
- in the period between sessions appoints heads of sections, administrations and other organs of the

executive committee to carry out its duties, and subsequently presents them to the Soviet for confirmation;

- schedules elections for people's jurors for rayon (city) public courts in newly formed administrative-territorial units, and holds resident conferences on the creation of organs of territorial public self-government;
- introduces proposals on the structure and staff of the executive committee for review by the Soviet;
- at the assignment of the Soviet and in accordance with the legislation, exercises other powers and authorities.

The executive committee of the city (rayon subordination), village and kishlak Soviet of People's Deputies also:

- implements control over the fulfillment of passport system regulations and performs registration of citizens;
- in accordance with Tajik SSR legislation, performs registration of statutes on civil status;
- registers family-property divisions of kolkhoz yards and farms of citizens engaged in individual labor activity;
- performs notary services in accordance with USSR and Tajik SSR legislation;
- issues documents to citizens certifying their identity, property standing, and others proscribed by law.

Upon expiration of the term of authority of the local Soviet of People's Deputies, the executive committee retains its powers and authorities until the formation of the Soviet of People's Deputies of a new convocation, its executive committee, and a ratification of its membership.

Article 27. Within the limits of its competence, the executive committee of the local Soviet of People's Deputies adopts resolutions and issues directives.

The executive committee resolutions are adopted by open vote, with a simple majority of the entire executive committee membership needed to pass the resolution, and signed by the chairman.

The directives of the executive committee are signed by the chairman or his deputy.

Article 28. The executive committee of higher local Soviets of People's Deputies has the right to rescind the resolutions of the executive committees of lower Soviets if they contradict Tajik SSR legislation.

Article 29. In the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast and the oblast Soviets of People's Deputies, the ispolkom chairman, and in the rayon, city, city rayon, village and kishlak

Soviets of People's Deputies the Soviet chairman- executive committee chairman organizes the work of the executive committee, conducts its meetings, introduces proposals on the distribution of responsibilities between the members of the executive committee, signs resolutions and directives, coordinates the activity of the sections, administrations and subdivisions of the apparatus servicing the activity of the executive committee.

The deputy chairmen and the members of the executive committee of the Gorno-Badakhshan Autonomous Oblasts Soviet of People's Deputies, and of the oblast Soviets of People's Deputies are elected at the session of the Soviet upon nomination of the ispolkom chairman, and in the rayon, city, city rayon, village and kishlak Soviets of People's Deputies they are elected at the proposal of the Soviet chairman-ispolkom chairman.

In rayon, city, city rayon, village and kishlak Soviets of People's Deputies, the executive committee secretary is elected at the proposal of the Soviet-chairman-ispolkom chairman. He manages the organizational section of the executive committee and aids the permanent commissions, deputy groups and deputies in performance of their duties and in their reporting to the voters and labor collectives. He also provides them with necessary information and reviews questions associated with excusing deputies from their service or production duties in order to work in the Soviet and its organs;

- prepares proposals for the Soviet session on questions associated with the realization of deputy rights and responsibilities;
- exercises other powers and authorities placed on him by the chairman and the Soviet of People's Deputies Regulations.

Article 30. The Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast and the oblast Soviets of People's Deputies, at the proposal of the executive committee chairman, and the rayon, city, city rayon, village and kishlak Soviets of People's Deputies at the proposal of the Soviet chairman-executive committee chairman form sections and administrations of the executive committee, and ratify their managers.

The sections and administrations of the executive committee are subordinate in their activity to the Soviet and to its executive committee.

The sections and administrations of the executive committee are maintained at the expense of the local budget or act on cost accounting principles.

The managers of sections and administrators of the executive committee cannot be deputies in the Soviet to which they are appointed or elected.

The sections and administrations of the executive committee of the local Soviet of People's Deputies report on their work to the Soviet, to the executive committee, and also to the meetings of the labor collectives and resident meetings of citizens.

The competence of the sections and administrations of the local Soviet of People's Deputies executive committee is defined by the statutes approved by the Soviet.

Article 31. The Soviet of People's Deputies executive committee's sections and administrations manage the sectors of economic and social-cultural construction assigned to them on the territory of the Soviet in accordance with the Tajik SSR Laws, the statutes of the Tajik SSR Supreme Soviet and its organs, the Tajik SSR president, the Tajik SSR Cabinet of Ministers, the resolutions of the higher Soviet, as well as the Soviet which formed them, and their executive committees.

Article 32. The local Soviet of People's Deputies executive committee implements management and control over the activity of commissions formed by the Soviet under the executive committee. The jurisdiction of these commissions is determined by Tajik SSR legislation.

Chapter 5. Organs of territorial public self-government

Article 33. 1. The organs of territorial public self-government are voluntary associations of citizens residing in the given territory, formed for the purpose of resolving questions of local significance.

Among the organs of territorial public self-government are the centers of local self-government, the microrayon soviets and committees, the makhallin, house, and kishlak and other organs created by residents of the given territory based on the local conditions and traditions.

2. The organs of territorial public self-government are registered in the order proscribed by law with the local Soviet of People's Deputies executive committee, and may be granted the rights of a legal person.

3. The boundaries of the territory of jurisdiction of organs of territorial public self-government are determined by the appropriate local Soviet of People's Deputies or its executive committee, with consideration for suggestions of the residents.

Article 34. 1. The organs of territorial public self-government:

- represent the interests of the residents of the territory in the organs of state power and administration in any instances;
- participate in the work of the Soviets of People's Deputies in discussing the questions relating to their territory;
- participate in developing facilities within the social sphere, work on improvements, repair, and sanitary clearing of the territory;
- aid in the implementation of laws and other statutes of the organs of state power and administration, decisions of local Soviets of People's Deputies and their

executive committees, and voter mandates. They also organize the fulfillment of resolutions adopted at citizen meetings;

- introduce proposals and lobby in the appropriate Soviets and their executive committees, as well as any state agencies, enterprises, institutions, and organizations on questions relating to the competence of the organs of territorial public self-government;
- implement public control over the adherence to building regulations, application of residential buildings, maintenance of residential buildings and adjoining territories, fire safety and health regulations, protection and rational application of the land, water and other natural resources, historical and cultural monuments, and submit proposals to the appropriate organs for correcting any shortcomings which they have discovered;
- aid the local Soviets of People's Deputies and the law enforcement organs in ensuring legality and maintaining public order;
- have other rights determined by Tajik SSR legislation.

2. The organ of territorial public self-government, being a legal person:

- has the right to open accounts at banking institutions;
- independently implements economic management activity on the socio-economic development of the territory, and may create cost accounting subsections for these purposes;
- institutes in the established order joint small enterprises together with foreign organizations, as well as cooperatives, special interest clubs, amateur associations, recreation centers, and other enterprises and organizations;
- interacts on a contractual basis with the ispolkoms of local Soviets of People's Deputies, as well as with enterprises, cooperatives and other economic management organizations;
- may act as the contractor in performing work on improvement of the territory, construction and repair of the housing fund and facilities in the social-domestic sphere, using local budget funds allocated for these purposes as well as its own financial resources;
- leases buildings, structures, and non-residential facilities which it owns;
- based on the decision of the general meeting (gathering) or conference of the territory residents, establishes its own structure and staff, and pays wages from its own funds;
- voluntarily co-operates the funds of the public, enterprises, institutions and organizations for the development of the territory's social infrastructure, establishes a charity fund and a local initiative fund.

Article 35. The organs of territorial public self-government are subordinate in their activity to the citizen meetings which have elected them, and to the Soviet of People's Deputies which has registered them.

The local Soviets of People's Deputies and their executive committees ensure the necessary conditions for the territorial public self-government organs to exercise their powers and authorities, to formulate their property, and to perform independent economic and financial-accounting activity.

The local Soviets of People's Deputies may on a contractual basis grant the organs of territorial public self-government part of their powers and authorities in implementing social-economic development of the territory. They may also transfer to them the ownership of economic facilities, the housing and non-residential fund, as well as part of their financial, material or other resources.

The enterprises, institutions and organizations, by mutual agreement with the organs of territorial public self-government, may give them financial, material or other aid for the realization of their powers and authorities.

The organs of territorial public self-government function in close interaction with the public associations (public movements, organizations and their agencies) and by mutual agreement may enter into contract relations with them.

The local Soviets of People's Deputies and their organs, enterprises, institutions, and organizations aid in implementing the resolutions and proposals of the organs of territorial public self-government, and review and respond to their proposals and requests within the time periods specified by law.

Section III. Economic Principles of Local Self-Government

Article 36. The economic base for self-government is comprised of the property belonging to the appropriate level of self-government system, the facilities of the local economy transferred to the management of the self-government, local budget funds, extra-budgetary and other funds of self-government institutions, as well as the funds of enterprises (associations), organizations and the public which have been accumulated in the order established by law and allocated for local needs.

Enterprises (associations) and organizations which function on the self-government territory and which are not a part of the local economy participate in financing local needs by means of paying mandatory budget payments to the self-government.

Enterprises (associations) and organizations which have the right of a legal person pay the self-government a portion of the mandatory budget payments, and also for their subordinate dependent structural units—a payment proportionate to the number of workers employed

there. These funds are paid to that self-government institution on whose territory the given structural units are located.

The self-government's rights to the land within its territory, the underground resources, water, forest and other natural resources are established by Tajik SSR legislation.

Article 37. The self-government owns the property which the corresponding Soviet of People's Deputies holds in its name, uses and manages.

The objects of the self-government's right of ownership are:

—the communal housing fund, facilities and structures under communal ownership, fixed capital and turnover capital of the local self-government's enterprises, infrastructure facilities, the self-government's capital invested in stocks and other securities.

The self-government's right to ownership arises:

- 1) upon transfer of state-owned facilities to the self-government in the order established by law;
- 2) upon creation of new objects of ownership in the process of expanded reproduction;
- 3) in concluding deals and by other methods specified by law.

In exercising its right of ownership, the self-government institution:

- 1) establishes enterprises, institutions and organizations, to whom it transfers property for operative management;
- 2) transfers property on conditions of leasing or in some other order established by law to public territorial organizations, labor collectives, cooperative lessee organizations, comradeships, as well as citizens for purposes of meeting the needs of the self-government;
- 3) manages the property belonging to it by some other methods proscribed by law.

The self-government institution has the priority right to obtain in the order established by law any buildings of public function, structures or other facilities located on its territory which may be used for the local economy's needs.

In exercising the right of ownership, the self-government institution is guided by the USSR and Tajik SSR legislation.

Article 38. The local economy ensures direct satisfaction of the population's needs and functioning of the system of local self-government.

The local economy consists of enterprises (associations), organizations, institutions, and facilities of the production and social infrastructure which are the communal property of the corresponding administrative-territorial unit.

The make-up of the local economy may include, with the agreement of the owner, enterprises (associations), organizations and institutions whose activity is associated primarily with consumer services, and which are not under communal ownership.

With the permission of the public and the institutions of local self-government, the make-up of the local economy may also include facilities developed as a result of citizen participation or purchased at the expense of voluntary public contributions.

The local Soviets of People's Deputies, within the limits of their competence, may grant enterprises (associations), organizations and institutions which are part of the local economy the priority right of using the local land and other natural resources and obtaining material-technical supply from local funds.

The local Soviets of People's Deputies have the right to create enterprises, organizations and social-cultural institutions at the expense of their available funds without consulting with the higher institutions.

The local Soviets of People's Deputies coordinate the activity of enterprises (associations), organizations and institutions of the local economy and give aid in improving their activity.

The relations of the local self-government institutions with enterprises, institutions and organizations of the production and social infrastructure which meet the needs of several Soviets of People's Deputies and which are not related to the local economy are regulated by contracts.

Article 39. Communal property comprises the basis of the local economy. The management and administration of the communal property is conducted in the name of the public of the administrative-territorial units of the appropriate Soviet of People's Deputies and their authorized agencies.

Communal property includes property which was transferred without compensation by the USSR and Tajik SSR or other subjects, as well as property created or obtained by the local Soviet of People's Deputies at the expense of its own funds and necessary for the economic and social development and fulfillment of other tasks facing the appropriate local Soviet of People's Deputies.

The local Soviets of People's Deputies have the right to submit proposals on the transfer or sale of enterprises (associations), organizations, institutions, their structural subdivisions, as well as other facilities related to other forms of state ownership, to the communal ownership of appropriate administrative-territorial units, if this property has particular significance for providing

the communal-domestic and social-cultural needs of the population of the given territory and for the operation of the local economy.

In accordance with the USSR Law: "On General Principles of Local Self-Government and the Local Economy in the USSR," the order of transfer, purchase and sale, as well as the list of state property transferred without compensation to the ownership of administrative-territorial units of various levels and the order of reviewing any disputes which may arise in this, are determined by the USSR and Tajik SSR legislation, respectively.

Article 40. The self-government's financial resources are comprised of: the local budget, extra-budgetary funds, funds of the territorial-public formations, as well as the monies allocated by the republic budget's fund for development of underdeveloped regions. Every year, each self-government independently formulates, ratifies and implements its own budget.

Interference by higher institutions in the process of development, ratification and fulfillment of the local budget is prohibited. The minimal amounts of local budgets are determined on the basis of standards of budgetary provision per resident established in the Tajik SSR.

Article 41. The following revenues are entered in their entirety into the budgets of the first territorial level of local self-government:

- the portion of the income tax from citizens of the USSR and Tajik SSR, foreign citizens and persons without citizenship living on the territory of the local Soviet as determined by the rayon or city rayon Soviet;
- the tax on the labor wage fund of kolkhoz workers;
- the tax from production cooperatives;
- the lease payment for land;
- the land tax, except for that portion which may be centralized in the republic budget;
- local taxes and revenues collected by Soviets of the first territorial level.

The following revenues are entered in their entirety in the budgets of local Soviets of the second and third territorial levels:

- the income tax from citizens of the USSR and Tajik SSR, foreign citizens and persons without citizenship living on the territory of the local Soviet—to the budgets of the second territorial level;
- the tax on profit (income), payment for labor and natural resources of enterprises (associations) and organizations within the make-up of the appropriate

local economy, as well as joint enterprises in accordance with the share held by local Soviets of People's Deputies in them;

- the territorial tax collected on profit (income) of union, republic, and other enterprises (associations) and organizations which are not a part of the corresponding local economy, according to rates determined by the USSR and Tajik SSR laws, and within the limits of the established portion of the tax on profits of these enterprises (associations) and organizations going to the republic budget;
- the income tax from kolkhozes—to the budget of the local Soviet of the second territorial level;
- the income tax from consumer cooperatives and public organizations—according to their territorial affiliation;
- state customs tax—to the budget of the local Soviet of the second territorial level;
- payments for patents on individual labor activity—according to the place of registration;
- income from the lease of property under communal ownership of local Soviets of People's Deputies;
- other income in accordance with the USSR and Tajik SSR laws.

The following deductions are made to the local budgets according to stable long-term standards:

- from payment for natural resources;
- from the turnover tax;
- from other income specified by USSR and Tajik SSR laws.

The standard deductions to the appropriate local budgets are approved by the higher Soviets of People's Deputies depending on the total sum of the income and the total sum of expenditures of the local budget and the social standards established by the USSR and Tajik SSR organs of state authority.

The rates of payment for labor and natural resources are stable and long-term, and are established by Tajik SSR law. They may be differentiated depending on the labor supply or the economic evaluation of natural resources of the territories.

Payments by enterprises are entered into the budget according to the location of the enterprises, their branches and other structural units and subdivisions. The distribution of payments by enterprises having branches in a given territory is performed proportionately, based on the portion of workers [employed at the branch] as compared with the overall number of persons employed at the enterprise.

The local Soviets of People's Deputies, in accordance with USSR and Tajik SSR laws, determine the rates of tax on profits for enterprises and other facilities of the local economy related to communal ownership.

Grants, subventions and subsidies from higher level budgets may be channeled to the local budgets.

The local Soviets of People's Deputies have the right to grant certain payers benefits on taxes and payments which are channeled into the appropriate state budget.

Surplus income obtained in the course of implementing the local budgets, as well as sums by which income exceeds expenditures formed as a result of overfulfillment of production or savings on expenditures, remain at the disposal of the local Soviets of People's Deputies, are not subject to withdrawal from them, and are used at their discretion.

Article 42. The local Soviets of People's Deputies independently:

- determine the direction of application of local budgets and spend budget funds;
- within the limits of their available funds, increase the standards of expenditures for maintaining housing-communal facilities, institutions of public health, social provision, culture and sports, and internal affairs and environmental protection agencies. They also determine additional benefits and allowances granted in giving aid to individual categories of the population.
- determine the amount of expenditures for maintaining local administrative organs;
- form reserve funds.

The Soviets of the first territorial level finance the expenditures for maintenance and construction of primary and secondary schools (except for teacher salaries), rural libraries, houses of culture and clubs, obstetrical field stations, and the apparatus of the Soviet.

Transfer of financing of other institutions is performed by agreement between the Soviets of various levels.

Article 43. The local Soviets of People's Deputies form extra-budgetary funds, which include:

- surplus income and saved financial resources obtained by means of implementing measures organized by the local Soviets for the resolution of economic and social problems;
- voluntary contributions and donations of citizens, enterprises (associations), organizations and institutions;
- income from local loans and local monetary-goods lotteries and auctions;

—fines collected from enterprises and organizations for receiving unsubstantiated profits (income) in connection with increased prices (tariffs) on products (work, services);

—fines for environmental pollution and irrational application of natural resources and other violations of environmental protection legislation, health standards and regulations, as well as payments compensating for the inflicted loss. The sums of these fines and payments are used to implement environmental protection and health improvement measures.

—fines for administrative legal violations committed on the territory of the local Soviet, as well as monetary deductions for unauthorized expenditures imposed by the appropriate institutions;

—50 percent of the concealed or underreported income of enterprises (associations), organizations and institutions located on the territory of the local Soviet of People's Deputies, as revealed by investigations;

—income from the sale of unowned and confiscated property;

—other extra-budgetary means.

Extra-budgetary funds are kept in special accounts opened at banking institutions. They are not subject to confiscation and are spent at the discretion of the local Soviets of Peoples' Deputies.

Upon agreement of the enterprises (associations), organizations, institutions, and the population, local Soviets of People's Deputies may pool their funds, as well as their budgetary and nonbudgetary resources, for the construction, expansion, repair and maintenance of facilities of the social and production infrastructure on a shareholding basis, as well as for implementation of environmental protection measures.

Article 44. Local Soviets of People's Deputies have the right to form currency funds obtained from deductions, according to stable long-term standards, from the currency income of enterprises (associations) and organizations, as well as from joint activity with foreign enterprises.

Article 45. All forms of ownership which serve as a source for obtaining income and satisfying the socio-economic demands of the population of the given territory comprise the economic basis for territorial public self-government.

The objects of ownership of territorial public self-government may be: property created and obtained at the expense of its own funds; the housing and nonresidential fund, other facilities of communal ownership handed over by the local Soviet, as well as property transferred by other persons.

The financial resources of the territorial public self-government are formed by means of income from its

own economic activity, contributions and donations from enterprises, organizations, institutions, and the public, income from joint enterprises, implemented measures, budgetary and extra-budgetary means handed over by the local Soviets, and other revenues.

The local Soviets provide the necessary conditions for the institutions of territorial public self-government to exercise their powers and authorities, formulate their property, and conduct independent economic and financial-economic activity. They also have the right to hand over part of their powers and authorities and their financial resources to them.

The interrelations between the local Soviets and the institutions of territorial public self-government are built on a contractual basis.

The institutions of territorial public self-government independently utilize the financial resources at their disposal in accordance with the goals of their activity, including also for the maintenance of their created agencies.

They also have the right to open accounts at banking institutions in order to perform monetary operations.

[10 Apr 91, pp 2-4]

[Text]

Article 46. The local Soviets of People's Deputies and other institutions of local self-government which are legal persons have the right to:

- 1) use credits for production and social purposes on a contractual basis;
- 2) participate with their own resources in the development and activity of credit-finance institutions on a stockholding or shareholding basis in accordance with USSR and Tajik SSR laws;
- 3) create special-purpose funds and transfer them to any banking institution as credit resources for target programs and measures for solution of territorial problems.

The local Soviets of People's Deputies have the right to compile territorial summary balance sheets. The corresponding state and public agencies, enterprises (associations), organizations and institutions submit information for their compilation to the Soviet of People's Deputies and its executive and distributive agency.

Section IV. Guarantees of Local Self-Government

Article 47. The questions of creating or transforming economic and social facilities and utilizing natural resources on the appropriate territory are resolved only with the permission of the local Soviet of People's Deputies.

Enterprises (associations), organizations and institutions, regardless of their subordination and form of ownership, do not have the right to introduce changes

into the plans for their activity on questions specified by contract with the local Soviet. Also, they must coordinate with the appropriate Soviet of People's Deputies any measures which may lead to ecological, demographic or other consequences affecting the interests of the territory's population.

Article 48. The decisions of local referendums, citizens' meetings, local Soviets of People's Deputies, and territorial public self-government institutions must not contradict USSR and Tajik SSR laws.

The local Soviets of People's Deputies have the right:

- to rescind the resolutions of lower Soviets of People's Deputies, the effect of statutes passed by local self-government institutions, enterprises (associations), organizations and institutions which violate the laws and the legal interests of the citizens living in the given territory, and to present the question of their rescission for review;
- to implement special measures specified by law for ensuring the personal safety of citizens, defending their rights and legal interests, protecting all forms of property and maintaining law and order in the case of natural disasters, ecological catastrophes, epidemics, epizootic outbreaks, fires, and disruptions of public order;
- in cases specified by law, to adopt resolutions establishing administrative responsibility for their violation;
- to establish for associations, enterprises and organizations, regardless of their departmental affiliation and with consideration for their production capacities and economic interests, local orders for the manufacture of consumer goods, as well as for the performance of construction-installation and repair work for the needs of the local economy and in the interests of the given territory's population.
- to exercise other powers and authorities specified by USSR and Tajik SSR laws.

Article 49. The decisions of the local referendum on questions relating to the management of local self-government by the present Law are mandatory for the corresponding Soviets of People's Deputies, territorial public self-government institutions, and all organizations and citizens on the given territory.

The resolutions of the local Soviets of People's Deputies adopted within the limits of their powers and authorities as determined by the present Law and other laws of the USSR and the Tajik SSR are mandatory for fulfillment by all enterprises (associations), organizations, institutions, cooperatives, public organizations and their agencies, officials and citizens located on the territory within the Soviet's jurisdiction.

Enterprises, (associations), organizations, institutions and citizens bear responsibility before the institutions of

local self-government, including property liability, replacing in full volume the losses inflicted by their decisions, actions, or inaction toward the public interests, the local economy, or the environment, as well as the loss inflicted as a result of non-fulfillment of resolutions of local self-government institutions.

The protection of the rights and legal interests of the institutions of local self-government is ensured by the court or the State Board of Arbitration in accordance with USSR and Tajik SSR laws.

Disagreements arising between the local Soviets of People's Deputies of various levels regarding questions of changes in their jurisdiction are reviewed by the Tajik SSR Supreme Soviet.

Article 50. The institutions of local self-government are responsible for the legality of their adopted resolutions.

Disputes on the restoration of violated rights of enterprises (associations), organizations, institutions and citizens arising as a result of the actions or inaction of local self-government institutions are settled in court or by the State Board of Arbitration.

Damages inflicted as a result of incorrect decisions, actions, or inaction on the part of the local self-government institutions are repaid in full by [these institutions] from their own funds to the enterprises (associations), institutions, organizations and citizens who suffered the loss.

Article 51. The higher organs of state power and administration of the Tajik SSR, as well as the republic and local organs of public organizations must review and consider in their activity the proposals of the local self-government institutions, and report to them the results of their review.

Section V. Competence of Local Self-Government Institutions

Chapter 1. General powers and authorities of the local self-government institutions.

Article 52. The competence of the local Soviets of various territorial levels is determined by the present Law with consideration for the natural, economic, social and national peculiarities of the corresponding administrative-territorial units and the capacities for its independent realization at the given level.

Article 53. With consideration for the local territorial, demographic and economic conditions, and the national peculiarities, the local Soviets of various territorial levels implement management of state, economic and social-cultural construction, develop and realize measures for the rational application of labor and natural resources, communal property and environmental protection, ensure law and order and public safety, protection of the rights and interests of the citizens and control over

adherence to the adopted resolutions, and resolve any other questions of local life in the interests of the given territory's population.

The local Soviets of People's Deputies organize foreign economic relations, and participate in them in accordance with USSR and Tajik SSR laws;

—plan the development and expansion of the region's export base, facilitate the expansion of foreign economic ties of enterprises and organizations located on the territory under their jurisdiction.

The local Soviets of the second and third territorial levels have the right:

—to conclude agreements with foreign partners for the sale and purchase of products at the expense of available currency funds or on some other basis;

—create joint enterprises for the manufacture of consumer goods and provision of consumer services and housing construction; participate in the creation of joint scientific, cultural, tourist, physical culture-health treatment centers and other organizations for economic and scientific-technical cooperation with foreign partners;

—in coordination with higher organs of state power and administration, resolve questions associated with the organization of a free economic zone (right of the third territorial level);

—organize border trade.

Article 54. The local Soviets of People's Deputies base their interrelations in all spheres of activity on the strict delineation of rights, duties and responsibilities in accordance with Tajik SSR legislation.

By mutual agreement and with consideration for the local peculiarities, they may redistribute individual powers and authorities among themselves in the sphere of economic and social-cultural construction, and transfer part of their powers and authorities to the institutions of territorial public self-government.

Trade between the territories is implemented on a contractual basis under conditions of openness of the territorial markets. The local Soviets do not have the right to introduce limitations on the import and export of products and goods in the territory under their jurisdiction.

The legal form of mutual relations between the local Soviets is the agreement on delegation of individual powers and authorities.

The second territorial level of the system of local self-government is granted the priority right to delegate authority to the higher as well as to the lower territorial level.

Resolutions of higher Soviets on questions which are part of the sphere of joint competence cannot be adopted without coordination with the lower Soviets.

The resolutions of local Soviets of People's Deputies and their executive and directive agencies adopted within the limits of their competence are mandatory for fulfillment by the lower Soviets of People's Deputies, their executive and directive agencies, respectively.

Chapter 2. Competence of local self-government institutions of the first territorial level.

Article 55. Within the sphere of planning, accounting and reporting:

1) ratifies plans for economic and social development of the territory, organizes and controls their fulfillment, considers the voter mandates and proposals of enterprise collectives, institutions and public organizations on developing plans for economic and social development of the territory, and approves reports on their fulfillment;

2) participates in the review of project design plans for farms, enterprises, institutions, and other organizations of higher subordination located on the territory of the Soviet in regard to land use, environmental protection, construction, development of housing and municipal services, improvement of populated areas, application of labor resources, production of consumer goods and local building materials, social-cultural, domestic and other services to the population, and presents its proposals on these questions;

3) implements control over the status of accounting and reporting at its subordinate enterprises, institutions and organizations; conducts bookkeeping registration of the population according to the established forms, and reports to the higher state agencies;

Requests and receives if necessary specified statistical or other data on the work of farms, enterprises and organizations of local significance located on the Soviet territory.

Article 56. In the sphere of budget-finance work:

1) independently develops and ratifies the local budget, and if necessary introduces changes; reports the indicators of the budget approved by the Soviet to the higher Soviet for inclusion in the Tajik SSR State Budget;

—independently distributes budget funds by articles of expenditures;

—bears responsibility for the balanced fulfillment of its budget;

—receives budget payments from citizens' income tax, tax on the kolkhoz wage fund, lease payments for land, the land tax, local taxes and collections in the amounts specified by agreement between the village, kishlak, city (rayon subordination) Soviet and the corresponding rayon Soviet of People's Deputies;

—utilizes at its discretion the surplus income obtained in implementing the budget, as well as savings in expenditures, and approves the report on fulfillment of the budget;

2) resolves questions of opening current accounts at banking institutions;

3) at the expense of local budget funds, establishes discounts on rates for working natural resources and mark-ups for wages of workers in the social sphere;

—provides material aid to low-income families, elderly persons, and citizens who are victims of natural disasters;

4) may use any types of credit for production and social purposes;

—builds mutual relations with banks on a contractual basis.

Article 57. In the sphere of agriculture:

1) reviews questions of giving aid to kolkhozes, sovkhoses, lessee organizations, cooperatives, lease collectives, peasant farms, and other formations of agricultural producers on the territory of the Soviet and forwards comments and proposals to the higher Soviet on the charters of kolkhozes, charters of leasing enterprises (organizations), cooperatives and other agricultural formations;

2) implements control over the safe and proper storage and application of motor transport and farm equipment and structures, as well as mineral fertilizers, toxic chemicals, and lubricant materials;

3) implements control over the protection of sowings and plantings, the veterinary-sanitary status of livestock farms at kolkhozes, sovkhoses, leasing enterprises, cooperatives and organizations, and peasant farms.

Article 58. In the sphere of land utilization and the utilization of water, forest, mineral resources and the environment:

1) registers the right of ownership of land, the right of land ownership, agreements on leasing and other forms of temporary land use;

2) implements state control over the use of all lands on the territory of the Soviet, controls the proper utilization of farmstead plots by members of kolkhozes, sovkhoses and other agricultural, cooperative, or public enterprises and organizations; monitors size of farmstead land plots with consideration for the labor participation in the social farm; settles land disputes between citizens and peasant farms;

3) identifies natural and economic objects on its territory which are of ecological, historical and scientific value, and submits proposals in the established order on proclaiming them to be natural or cultural monuments, with the corresponding conditions of operation;

4) within the boundaries of the rural population centers, adopts resolutions on giving land areas for ownership, use and leasing from the lands which are under Soviet jurisdiction or handed over to its care by the appropriate rayon Soviet and other organizations and enterprises;

5) within the limits and in the order established by legislation, implements state management and control over the utilization and protection of water resources, forests, and mineral resources on the territory of the Soviet;

6) establishes conditions of general water use at water sources located on the territory of the village Soviet or rural population center; establishes rules of use for water collecting structures on the territory of the village Soviet for drinking, household and other purposes in the order of noncentralized water supply; in coordination with the agencies implementing state sanitary inspection and agencies for regulating the use and protection of water resources, resolves noncentralized water supply of farms and individual agricultural enterprises, peasant farms, and cooperatives located on the territory of the village or kishlak Soviet; settles disputes on water use;

7) controls the adherence by all kolkhozes, sovkhoses, enterprises, institutions, organizations, cooperatives, peasant farms and individual citizens to the established order of forest use, regulations on conducting forest management, reproduction of forests, their preservation and protection, as well as other regulations and standards provided by forest legislation; facilitates the implementation of measures for the development and protection of forests on the territory under its jurisdiction;

8) monitors the proper development of operations for mining all minerals; if necessary, submits to higher agencies proposals on their utilization and materials documenting disruption of the ecology due to mining operations; aids in implementing measures on environmental protection and enforcement of established hunting and fishing regulations.

Article 59. In the sphere of industry:

1) manages the work of local industry enterprises which are held in communal ownership;

2) adopts measures for development of consumer goods and building materials production based on local raw materials, as well as on by-products from industrial enterprises located on the Soviet territory, as well as measures on processing agricultural products and developing people's trades and handicrafts;

3) adopts measures for regulating the fishing, hunting and other trades.

Article 60. In the sphere of construction, transport and communications:

1) organizes preparation and approves projects for planning and development of population centers located on

the Soviet territory, controls the adherence to development plans, halts construction if it is being performed in violation of the plans for development of population centers;

2) implements control over the construction of residential houses, social-cultural institutions and communal enterprises on the Soviet's territory;

3) organizes construction and repair of residential houses and other facilities of social-cultural function belonging to it, using local budget funds, and aids in the construction of individual housing;

4) organizes construction, repair and maintenance of intra-organizational automobile roads, involves kolkhozes, sovkhoses, enterprises and other organizations in the performance of this work in the established order;

5) implements control over the work of transport organizations for serving the public on the Soviet's territory;

6) in the cases and order specified by law, may confiscate or use property of enterprises located on its territory (in cases of natural disasters, accidents, extraordinary circumstances, etc.);

7) implements control over the work of communications sections and agencies serving the public living in the Soviet's territory; gives aid on a contractual basis to organs of communication in developing local telephone and mail service, radio and television broadcasting.

Article 61. In the sphere of housing, municipal services and improvements:

1) organizes the operation of facilities of housing and communal services under Soviet jurisdiction, ensures the proper utilization of non-residential facilities;

2) implements control over the proper utilization of the housing fund and municipal services facilities located on its territory and belonging to enterprises (associations), institutions, organizations and citizens;

3) manages the housing fund within the Soviet's jurisdiction, ratifies joint decisions of the administration and trade union committees on granting living space in buildings of state, cooperative and public organizations; issues standard orders to citizens for inhabiting living space;

4) takes measures for providing fuel, electrical power, and stock inventory to public education, cultural and public health institutions which are supported by the local budget, for repairing their buildings and creating the necessary housing-domestic conditions for the workers of these institutions; involves other organizations, regardless of their departmental affiliation, in the implementation of the given measures;

5) manages the improvement of population centers, consolidates funds allocated by enterprises, institutions

and organizations for improvements; takes measures to protect and care for planted areas, to protect water reservoirs and citizen recreational areas; names streets, squares, and other component parts of population centers in accordance with the effective legislation; assigns numbers to houses;

6) ratifies and dismisses managers of enterprises in housing and communal services under Soviet jurisdiction;

7) provides for proper condition of cemeteries, fraternal graves, and other burial places.

Article 62. In the sphere of trade, public catering and domestic services to the population:

1) organizes local markets, issues permits for development and operation of trade and public catering enterprises held in private and collective ownership;

2) implements control over trade, public catering and food supply to the population on the territory of the village or kishlak; facilitates the development of individual trade; aids in the purchase of agricultural products at peasant farms and their sale to the population, and in the production of consumer goods for the needs of the village or kishlak population;

3) implements control over the work of consumer services enterprises;

4) determines days and hours of operation of trade enterprises, public catering and consumer services which are convenient for the population, controls adherence to the established regimen of their operation.

Article 63. In the sphere of public education:

1) takes measures for strengthening the material base of public education institutions and for opening pre-school institutions and schools in its territory;

2) takes measures for free provision of textbooks to students at general education schools and for organization of student lunch programs;

3) in accordance with the effective legislation, resolves the question of providing free lunches in schools with extended day schedules which are supported by the local budget;

4) takes measures for placing children who have been left without the support of their parents in boarding schools, boarding facilities at schools, children's homes, and in foster homes; implements control over the work of children's homes located on the Soviet's territory; organizes work on preventing child neglect;

5) creates a general education fund at the schools at the expense of the budget and by attracting funds from enterprises, institutions and organizations, and various societies; implements control over the proper application of this fund;

6) takes measures for providing free transportation to school and back home for the school's students.

Article 64. In the sphere of national and cultural construction and cultural-enlightenment work:

1) takes measures for strengthening the material-technical base of rural clubs, culture clubs, libraries, reading rooms and other cultural institutions, and for developing public creativity and artistic amateur activity;

2) ensures the preservation and development of national-cultural traditions;

3) oversees the protection and application of historical and cultural monuments on the Soviet territory;

4) ratifies and dismisses managers of cultural institutions under the Soviet's jurisdiction.

Article 65. In the sphere of public health, protection of mothers and children, physical culture and sports:

1) takes measures for strengthening their material-technical base, organizes provision of medical aid to the population;

2) introduces in established order special regulations and work regimen, instructional sessions, relocation of citizens and transfers for purposes of preventing the spread of illnesses and eliminating them on the Soviet territory;

3) implements control over the sanitation conditions of populated areas, sources of water supply, trade enterprises, public catering, housing, schools and other institutions;

4) provides for the implementation of measures on protection of mothers and children;

5) takes measures for developing physical culture and sports among the population and construction of sports facilities.

Article 66. In the sphere of labor and social provision:

1) aids in finding employment for citizens, helps them in acquiring a specialty, participates together with the trade union organizations in control over adherence to labor legislation, labor protection regulations and safety technology in kolkhozes, sovkhoses and at enterprises located on the Soviet territory; controls the adherence to regulations of hiring and dismissal of adolescents and young people;

2) provides employment for invalids, family members of soldiers and partisans, and internationalist soldiers (those who have served abroad) who have been killed, implements control over provision of benefits and advantages to these persons as established by legislation;

3) controls adherence to pension legislation, if necessary provides aid to workers, employees, kolkhoz workers and members of their families in receiving their pensions;

4) within the limits of allocations specified in the budget, provides grants to persons who do not have the right to receive state pensions;

5) implements control over the social status of single elderly citizens, identifies persons who must be given subsidies to pensions and grants; submits proposals on these questions to the higher Soviet;

6) submits proposals to the higher Soviet on giving grants to large families and single mothers, and on giving one-time grants to citizens who are victims of natural disasters; aids families of military conscripts in applying for grants provided for them by legislation;

7) takes measures for improving material and housing-domestic conditions of invalids, families who have lost their breadwinner, large families, and participants in the Great Patriotic War and soldiers who served abroad;

8) through the social provision agencies, implements measures for placing invalids and needy elderly people in homes; facilitates the creation of homes for invalids and the elderly, and implements control over the operation of homes for invalids and the elderly.

Article 67. In the sphere of ensuring socialist legality, protection of law and order and the rights and freedoms of citizens:

1) ensures adherence to laws, protection of the state and social order, the rights of citizens, enterprises, organizations and institutions, cooperative and other public organizations; implements control over the adherence to legislation by enterprises, institutions and organizations located on Soviet territory; organizes legal general education of the population, controls the adherence to legislation on religious cults;

2) creates the necessary conditions for institutions of public territorial self-government, labor collective councils, and public organizations to participate in the resolution of questions of ensuring legality and protecting public order; reviews the proposals of citizens, public organizations, and institutions of local self-government on organizing mass measures in accordance with effective legislation, and in the case of positive decision facilitates the creation of conditions for their implementation;

3) stops the effect of administrative statutes of enterprises, organizations and institutions, kolkhoz and cooperative governing boards located on their territory if these statutes contradict the legislation, or by resolution of the Soviet adopted within the limits of its competence;

4) by its own means or on a shareholding basis, may create public formations for the protection of public order in accordance with Tajik SSR legislation;

5) upon presentation of the internal affairs agencies, ratifies militia section inspectors and controls their work, and manages the activity of comrade courts and other public formations;

6) holds meetings with citizens, controls the maintenance of order in reviewing proposals, petitions and complaints of citizens at enterprises, institutions and organizations located on the Soviet territory, and reviews the reports of managers on these questions;

7) implements control over the fulfillment of passport system regulations, and performs registration of citizens in the established order;

8) performs registration of acts of civil status;

9) appoints guardians and trustees, controls fulfillment of their responsibilities;

10) registers family-property divisions of kolkhoz yards and citizen farms engaged in individual labor activity;

11) performs notary service in accordance with USSR and Tajik SSR legislation;

12) organizes the implementation of fire prevention measures in populated areas.

Article 68. In the sphere of defense work:

1) conducts primary accounting of military reservists and draftees;

2) informs military reservists and draftees of their call-up to the military commissariats and facilitates their timely appearance in response to this call-up;

3) provides employment and domestic arrangements for citizens placed in reserve or demobilized from the ranks of the USSR Armed Forces.

Article 69. In the sphere of awards:

presents petitions to higher Soviets of People's Deputies on granting USSR and Tajik SSR state awards in accordance with the effective legislation.

Chapter 3. Competence of local self-government institutions of the second territorial level.

Article 70. In the sphere of planning, accounting and reporting:

1) develops and ratifies plans for the economic and social development of the rayon, city, or city rayon; organizes and controls their fulfillment;

2) reviews questions of location, development and specialization of local industry, municipal services enterprises and structures, consumer service, trade and public catering enterprises, organizations and institutions of culture, public education and public health of higher subordination, and in necessary cases submits its proposals to the appropriate management institutions;

3) obtains necessary information from the enterprises, organizations, institutions, cooperatives, and kolkhozes located on its territory regarding drafts of their plans and measures which might have ecological, demographic or other consequences affecting the interests of the territory's population; implements coordination on these questions necessary for such plans and measures;

4) reviews draft plans of enterprises, institutions and organizations of higher subordination located on the Soviet territory, specifically those dealing with land use, environmental protection, construction, development of housing and municipal services, application of labor resources, production of consumer goods and local building materials, social-cultural and other services to the population, and in necessary cases submits its proposals to the appropriate higher institutions and ratifies summary plan indicators on these questions, with their inclusion in the plan for economic and social development of the city, rayon, or city rayon;

5) implements control over the rational application of mineral-raw material, forest, water, power and other resources.

Article 71. In the sphere of budget-finance work:

1) develops and ratifies the budget of the rayon, city, or city rayon in the total sum of revenues, with specification of the primary sources of income and the overall sum of expenditures, specifying allocations for financing rayon, city, city rayon economies, social and national-cultural measures and allocations for maintaining organs of state power and administration of the city, rayon, or city rayon; considers the mandates of the voters in compiling the rayon, city, or city rayon budget;

2) organizes fulfillment of the budget of a rayon, city, or city rayon; implements control over the fulfillment of payment responsibilities to the budget and the economic expenditure of budget funds by enterprises, institutions and organizations;

3) performs deductions to the rayon, city, and city rayon budget according to standards established by the higher Soviet and with consideration for the proposals of the rayon, city, or city rayon Soviet. [These deductions are made from] payments for multipurpose natural resources, payments for profit of enterprises which are not part of the rayon, city, or city rayon economy, including those of union and republic subordination, state public taxes, as well as turnover and income taxes secured for the budgets of higher Soviets;

4) gives grants, subventions or subsidies to lower Soviets from the rayon budgets, and to city rayon Soviets from the city budget or from extra-budgetary funds at their request. These subsidies have a designated purpose or serve to balance the budgets of the appropriate Soviets, based on the standards of per capita budget provision specified by law;

5) sets local taxes and collections, including rates for one-time fees at kolkhoz markets;

6) submits proposals and gives consent for substituting payments by enterprises, organizations and institutions to the budget for transfer of certain products, materials, fulfillment of work or performance of services to its charge;

7) finances on a contractual basis the implementation of measures on fulfilling local orders associated with increased production of food and non-food products, provision of consumer services, as well as with construction and reconstruction of facilities of the social and production infrastructure by enterprises which are not part of the local economy;

8) at the expense of its own budget funds, has the right to establish discounts on payments for labor and natural resources, create reserve funds, determine the content, size and order of their application, give benefits to payers of local taxes and collections, increase expenditures for the maintenance of the social-cultural sphere over the established standards, establish mark-ups for wages of workers in the social sphere and workers in local administrative institutions, and establish benefits and give material aid to low-income families, the elderly, and citizens who are victims of natural disasters;

9) with the consent of the labor collectives, consolidates the funds of enterprises, regardless of their departmental affiliation, and other public organizations, cooperatives, as well as budget and extra-budgetary funds, for the construction, expansion, repair and maintenance of facilities of the social and production infrastructure on a share basis;

10) has the right to transfer part of its financial resources to institutions of public self-government, on either a returnable or non-compensated basis.

11) compiles and ratifies territorial summary financial balances, balances of monetary income and expenditures and cash plans, facilitates the strengthening of monetary circulation in its territory.

Article 72. In the sphere of industry:

1) manages industrial enterprises and associations of rayon and city subordination;

2) adopts resolutions on the organization, reorganization or liquidation of industrial enterprises, creation of joint enterprises, firms, and associations of rayon and city subordination;

3) in conjunction with the labor collectives, distributes the products of industrial enterprises of rayon and city subordination manufactured from local raw materials, by-products and raw materials procured by the enterprises themselves in excess of their contractual responsibilities;

4) takes measures for developing production of consumer goods and local building materials on the basis of local raw materials and production by-products of enterprises located on the territory of the rayon, city, or city rayon, as well as on the basis of processing agricultural products;

5) presents proposals to the appropriate private owners on the transfer or sale to communal ownership of the enterprises and other facilities belonging to them, which have particular importance for providing the needs of the territory's population and the local economy;

6) substantiates the mandatory review of conclusions on questions associated with expanding, operating and building new industrial enterprises, buildings and structures; if necessary submits proposals on the organization, reorganization or liquidation of industrial enterprises of superior subordination on the territory of the rayon, city, or city rayon;

7) takes measures for organizing and developing operating enterprises for people's artistic handicrafts and trades; issues permits in the established order for engaging in individual labor activity to citizens living on the territory of the rayon, city, or city rayon;

8) takes measures for developing fishing, hunting and other trades;

Article 73. In the sphere of the agro-industrial complex:

1) takes measures for developing inter-organizational and production relations based on personal and collective as well as on public ownership, for creating equal conditions of their activity with consideration for the traditions and economic status of each economy and rayon as a whole, for the effective application of the developed potential of kolkhozes and sovkhoses on the basis of cost accounting, the contract order and leasing, as well as for the formulation of peasant farms.

2) monitors veterinary-sanitary supervision, establishes quarantine regimen in the necessary cases;

3) implements control over the fulfillment of mandatory measures on pest control, plant diseases and weed abatement, adherence to safety technology regulations in the application of chemical means of protection and regulations on plant quarantine by kolkhozes, sovkhoses, leasing enterprises, cooperatives, peasant farms, as well as individual citizens;

4) provides aid to kolkhozes, sovkhoses, leasing enterprises, associations, cooperatives and other agro-industrial formations in developing production sectors, strengthening contract discipline, and improving the material and cultural living standard of farm workers;

5) registers the kolkhoz charter, the charters (statutes) of leasing enterprises (organizations), cooperatives and other formations in agriculture; implements control over the adherence to democratic principles of management and cost accounting activity.

Article 74. In the sphere of construction, planning and development:

1) organizes preparation of models and projects for planning and development of a rayon, city, or city rayon and other urban construction complexes; presents them for approval to the higher organs of state administration, approves and coordinates projects and regulations for development of the territory in accordance with its general plans;

2) implements control over construction performed on the Soviet's territory; prohibits or halts construction of facilities of housing-civic function which is being performed in violation of legislative requirements;

3) organizes housing, municipal, road, and cultural-domestic construction, the construction of educational, public health, trade, public catering and other facilities using funds allocated by the local Soviets; in coordination with the enterprises, institutions and organizations located on the territory under its jurisdiction, resolves questions of joint application of their funds allocated for housing, municipal, road, cultural-domestic construction and for the construction of educational, public health, trade and public catering facilities, and also in necessary cases resolves questions of consolidating funds; acts as the contractor or selects the contractor for these types of construction;

4) approves projects and title lists for construction sites and facilities of the appropriate territorial subordination;

5) performs work on reconstruction, expansion, repair and improvement of residential houses, facilities of communal, cultural-domestic function, public health, education, social provision and other facilities on its territory in the established order;

6) appoints state acceptance commissions in the established order; reviews and approves statutes on the operational acceptance of completed facilities of housing-civic function, and also participates in the operational acceptance of other completed facilities located on the territory of the rayon, city, or city rayon.

Article 75. In the sphere of land utilization and environmental protection:

1) implements state control over the application of all lands within the limits of the territory; develops plans for their rational application in accordance with their designated purpose; grants and withdraws land plots, resolves land disputes in cases and in the order established by USSR and Tajik SSR legislation, controls the land user's implementation of measures for land conservation on the territory of the rayon, city, or city rayon;

2) issues state statutes on the right of land use and makes the decision to grant land plots to users from agricultural lands which are not being used, in accordance with the Tajik SSR Land Codex; controls the implementation of measures on land protection;

3) within the limits and in the order established by the legislation, implements state management and control over the utilization and protection of water resources, forests, the air basin, and the mineral resources on its territory; presents fully or partially for general use forest and water resources and areas for mining common minerals, and resolves any disputes which may arise;

4) ensures implementation of environmental protection measures on the territory under its jurisdiction.

Article 76. In the sphere of transport and communications:

1) organizes construction and repair of automobile roads on its territory;

2) manages transport enterprises and organizations of territorial subordination and implements control over the activity of analogous enterprises of superior subordination in providing public service, and oversees work on the provision of transport and pedestrian safety;

3) approves traffic routes and schedules for local transport and controls the organization of passenger services at places of organized transport;

4) provides for registration of automobiles and other transport means and controls their proper operation;

5) implements control over the activity of communications enterprises and organizations providing public service; aids them in developing telephone and mail communications, radio and telephone broadcasting (cable television), and in the repair and protection of communications lines.

Article 77. In the sphere of housing and municipal services and improvements:

1) manages housing and communal services and improvements on the subordinate territory; approves plans for their development, controls the fulfillment of capital and scheduled repair, as well as the status and adherence to standards of operation of the housing fund and municipal services belonging to enterprises, institutions and citizens;

2) implements management of construction and operation of electrical, water, sewer, heat, and gas networks and purification structures on its territory; participates in development of plans of these facilities by enterprises, institutions and organizations of higher subordination;

3) keeps a record of citizens needing housing, distributes housing and exercises other powers and authorities in accordance with the Tajik SSR Housing Codex;

4) adopts resolutions on the organization of housing-construction cooperatives and implements control over their activity;

5) in accordance with the effective legislation, assigns numbers to houses and names to squares, streets, corners, drives, plazas, boulevards, and parks within the boundaries of its jurisdiction;

6) ensures proper regimen of maintaining burial places and cemeteries.

Article 78. In the sphere of trade and public catering:

1) organizes territorial markets and facilitates trade between territories; issues permits for the creation and operation of trade and public catering enterprises held in private and collective ownership;

2) manages trade and public catering enterprises and organizations on its subordinate territory, takes measures for ensuring and protecting the rights and interests of the consumer;

3) implements control over the operation of trade and public catering enterprises and organizations of higher subordination;

4) approves the location, work schedule, and plan assignments on commodity turnover by trade and public catering enterprises and organizations on its subordinate territory; approves plans for expansion of the seasonal small retail network;

5) manages kolkhoz markets, takes measures for developing kolkhoz trade, construction and improvement of kolkhoz markets, as well as expansion of trade in agricultural produce through consumer cooperatives on commission principles; establishes amounts of one-time fees and payment rates for services provided at kolkhoz markets in the order and in the limits established by legislation;

6) for purposes of ensuring price stabilization on the consumer market, may set marginal levels of prices (tariffs) on basic consumer goods (services) produced and sold by the cooperatives, including cooperatives within the consumer cooperation system;

7) based on need, may issue a list of food and other goods which are not subject to sale by cooperatives in the state and cooperative retail trade network.

Article 79. In the sphere of labor and cadre training:

1) keeps an accounting of and regulates the distribution of labor resources on its territory and the number of unemployed; takes measures for rational application of labor resources and organizes employment of citizens;

2) ensures the realization of measures on development of the network of small and mid-size enterprises, branches and shops in microrayons and in rural areas, the development of individual labor activity, expansion of work at home and other forms of labor organization; facilitates the creation of cooperative multitype industrial combines and the restoration and development of handicrafts and trades;

3) controls plans for employment of young people completing general education schools, and ensures fulfillment of these plans by all enterprises, institutions and organizations;

4) plans the contingent of workers in public education, culture, and public health, and ensures the correct placement, application and advanced training of these cadres.

Article 80. In the sphere of consumer services:

1) manages consumer services enterprises and organizations of territorial subordination, ensures fulfillment of production-financial plans; controls the utilization of fixed capital and turnover capital and the distribution of obtained profit in the established order; ratifies the results of their financial-economic activity;

2) implements control over the work of consumer services enterprises and organizations of higher subordination, controls the quality of consumer services and the correct application of price lists on services provided by the consumer service enterprises;

3) in coordination with the higher organs of state administration, adopts resolutions on the organization, reorganization or liquidation of consumer services enterprises on its territory, determines their location with consideration for provision of services to farm workers.

Article 81. In the sphere of public education and science:

1) manages sectors of public education, pre-school and extracurricular rearing of children; provides a general secondary education of the youth; takes measures for strengthening the school's ties with production, improving labor training, training and professional orientation, providing free textbooks to students studying in general education schools; keeps a record of children of school age, and organizes school lunch programs;

2) takes measures for strengthening the instructional-material base of general education and special schools, boarding schools, children's homes, children's pre-school institutions, and extracurricular institutions;

3) ratifies and dismisses managers of schools, pre-school and extracurricular institutions;

Article 82. In the sphere of national-cultural construction and cultural-enlightenment work:

1) manages cultural-enlightenment organizations and institutions of territorial subordination; takes measures for strengthening their material-financial base; controls the activity of other cultural organizations and institutions regardless of their subordination;

2) takes measures for developing public creativity and artistic amateur activity; organizes the implementation of all-city and rayon measures in the sphere of culture;

3) implements state management and control over the protection and application of historical and cultural monuments in accordance with the legislation.

Article 83. In the sphere of public health, physical culture and sports:

1) manages the affairs of public health and public health institutions of territorial subordination; takes measures for strengthening their material-technical base and organizing medical aid to the public;

2) implements control over the work of public health institutions of higher subordination;

3) implements measures for ensuring adherence to sanitation regulations for maintenance of residential and public buildings and the proper sanitary status of its territory; takes measures for organization of sanitation-enlightenment work among the population, and manages implementation of veterinary inspections;

4) implements state control over the adherence to regulations on making the environment more healthy, ensuring provision of sanitary protection of water reservoirs, the soil and the atmospheric air;

5) provides for implementation of measures on preventing the spread of infectious diseases, as well as on their elimination; in case of threat of emergence or spread of epidemic infectious diseases, introduces special conditions and regimen of work, study, movement and transport directed at preventing the spread and elimination of these diseases;

6) participates in the resolution of questions designating an area as a resort, establishing boundaries for resort health safeguard areas, and defining their regimen;

7) organizes protection of maternity and children; provides for implementation of health treatment measures among children and adolescents; controls the organization of medical aid to children and adolescents;

8) manages the affairs of guardianship and trusteeship;

9) manages the affairs of physical culture and sports; organizes the implementation of mass sports measures;

10) approves plans for the placement of sports buildings and structures on its territory;

11) takes measures for developing major recreational zones, equipping and improving them, and implements control over application of these zones.

Article 84. In the sphere of social provision:

1) manages questions of social provision; ensures timely and correct granting and payment of pensions and grants as established by legislation, and granting citizens the benefits and privileges provided by legislation;

2) manages institutions and organizations of social provision and implements control over the operation of analogous agencies of higher subordination located on the territory subordinate to the Soviet;

3) files petitions on granting personal pensions in the order specified by legislation;

4) conducts measures on employment of invalids, family members of military servicemen, soldiers and partisans killed in the line of duty; organizes professional training of invalids; ensures organization of production employing labor of invalids;

5) reviews questions associated with placement of citizens in institutions of social provision, controls the work of institutions of social provision located on its territory;

6) manages the affairs of guardianship and trusteeship;

7) implements control over the work of agencies of physician-labor investigative commissions;

8) implements control over the creation and operation of departments providing social aid in the home;

9) directs and controls the activity of organizations of societies for the blind and deaf, provides aid in developing production-training and other enterprises for these societies.

Article 85. In the sphere of ensuring socialist legality, protection of state and public order, rights and freedoms of citizens:

1) provides for adherence to effective legislation, state and public order, protection of rights and interests of citizens, state institutions, enterprises, public organizations and cooperatives on its territory; organizes legal general education and provides legal aid to the population;

2) manages its subordinate agencies of internal affairs, municipal (local) militia, and agencies for recording acts of civil status; aids in the activity of people's volunteer brigades, comrade courts and other public formations;

3) rescinds orders and directives issued by managers of administrative agencies subordinate to the Soviet, as well as enterprises, institutions and organizations of territorial subordination if they contradict the legislation;

4) aids in improving operating conditions of courts, agencies of the procurator's office and the bar;

5) halts the effect of orders and directives issued by managers of enterprises, institutions and organizations of higher subordination on all questions within its sphere of competence if they contradict the legislation, and informs the appropriate higher institutions of this fact;

6) reviews proposals of citizens, public organizations, and local institutions of self-government on the organization of mass measures, and with positive decision creates conditions for their implementation;

7) provides aid in organizing and implementing correctional work, retraining and treatment of persons found

in correctional-labor and educational-labor institutions, educational-labor and treatment-labor prevention centers;

8) in cases specified by the legislation, adopts resolutions for whose violation there is an established administrative responsibility;

9) in cases of natural disasters, epidemics, epizootic outbreaks, fires and mass disruptions of public order, implements special measures specified by the legislation to ensure the personal safety of the citizens, protect their rights, and safeguard socialist property and law and order.

Article 86. In the sphere of defense:

1) ensures fulfillment of the USSR Law on general military responsibility by all officials and citizens, as well as enterprises, organizations and institutions;

2) manages civil defense;

3) controls the adherence to legislation on benefits and privileges established for participants in the Great Patriotic War and persons equated to them, citizens placed in reserve and demobilized from the ranks of the USSR Armed Forces, as well as legislation on benefits and grants to families of citizens called up to active military service, and servicemen and partisans who have been killed.

4) implements measures to ensure the training of reserves for the USSR Armed Forces and fulfillment of other defense tasks;

5) provides aid in implementing the call-up of citizens to active military service, as well as in organizing and implementing training assemblies and basic military training;

6) provides labor and domestic placement of citizens placed in reserve and demobilized from the ranks of the USSR Armed Forces.

Article 87. In the sphere of awards:

—reviews and petitions for awarding of USSR and Tajik SSR state awards; organizes awards ceremonies for presenting USSR and Tajik SSR state awards.

Chapter 4. Competence of local self-government institutions of the third territorial level

Article 88. In the sphere of planning, material-technical supply, accounting and reporting:

1) develops, ratifies and implements a comprehensive plan for economic and social development on its territory, based on the basic directions of economic and social development of the USSR and the Tajik SSR with consideration for the specific tasks, conditions and material capacities;

2) develops and ratifies a plan for development of the local economy which encompasses communal property and facilities of the production and social infrastructure, regardless of their departmental affiliation;

—provides for a section in the comprehensive plan which deals with the activity of enterprises and organizations which are not a part of the local economy and which are involved on a contractual basis in the solving the problems of economic and social development;

3) resolves questions of the location, development and specialization of enterprises, institutions and organizations on the territory;

4) develops and ratifies target comprehensive programs on basic questions of development of the economy, scientific-technical progress, environmental protection and social development;

5) reviews plans of enterprises of higher subordination on questions of development of the social sphere, public services, production of consumer goods, construction, number of workers, application of labor resources, local types of raw goods and materials, secondary resources, environmental protection, land, water, and forest utilization, and has the right of coordination on these questions;

6) implements control over the course of fulfillment of plans for economic and social development within the scope of the local economy and takes measures for eliminating shortcomings, up to the formulation of the question before the appropriate department and labor collective on dismissing the corresponding persons from their occupied position;

7) organizes, reorganizes and liquidates enterprises, institutions and organizations of oblast subordination in the order established by legislation; in necessary cases submits proposals on the organization, reorganization or liquidation of enterprises and organizations of higher subordination;

8) manages the work of accounting, reporting and statistics at enterprises, institutions and organizations of oblast subordination; cooperates with state statistical agencies; implements measures on centralization and mechanization of accounting operations and introduction of progressive accounting methods; ensures adherence to the established order of compilation and presentation of reporting data.

Article 89. In the sphere of budget-finance activity:

1) develops and approves the budget in the overall sum of income and expenditures;

2) organizes the fulfillment of the budget for the Gorno-Badakhshan Autonomous Oblast, the oblast and city of Dushanbe; implements control over the fulfillment of responsibilities on payments to the budget by enterprises, associations and organizations, and the effective

and economic application of material, labor and financial resources; reviews the results of finance-economic activity of executive committee sections and administrations; takes measures for seeking out intra-organizational reserves and increasing profits and budget revenues in coordination with the lower Soviets;

3) in necessary cases, in fulfilling the budget, redistributes oblast budget funds between sectors of the economy, sections, administrations, committees and associations of the executive organ, as well as allocations for wages within the limits of the approved wage fund;

4) ratifies the report on fulfillment of the budget;

5) finances on a contractual basis the implementation of measures on fulfillment of local orders associated with increased production of food and nonfood products, provision of consumer services, as well as construction and reconstruction of facilities of the social and production structure by enterprises which are not a part of the local economy;

6) has the right to increase expenditures in excess of the established standards for maintaining institutions of the social-cultural sphere, set mark-ups to wages of workers in the social sphere and workers in local organs of administration, establish benefits and provide material aid to low-income families, the elderly, citizens who are victims of natural disasters, etc.;

7) consolidates financial resources with other Soviets of People's Deputies for solving inter-regional problems;

8) with the consent of the labor collectives, consolidates funds of enterprises, regardless of their departmental affiliation, public organizations and cooperatives, as well as budget and extra-budgetary funds for the construction, expansion, repair and maintenance of facilities of the social and production infrastructure and environmental protection measures, on a share basis;

9) reviews and approves the balances of monetary income and expenditures of the population and the cash plans; facilitates the strengthening of monetary circulation on its territory;

10) organizes control over the timely introduction of deductions of kolkhoz funds to the centralized union fund for social provision of kolkhoz workers and the centralized union fund for social insurance of kolkhoz workers;

11) formulates currency funds at the expense of deductions from the currency receipts of enterprises (associations) and organizations according to fixed long-term standards.

Article 90. In the sphere of prices and price formation:

The Soviet of People's Deputies, in accordance with the concept of the market economy and for the purpose of regulating the growth of goods and services, has the right,

within the limits of its competence, to implement measures for introducing a unified price policy, stimulating production and establishing incentives for the sale of individual goods at the expense of the budget, developing prices and tariffs, prohibiting multiple pricing on the same types of products and differences in prices on the same products and in rates on services.

Article 91. In the sphere of industry:

1) manages the development of consumer goods production, coordinates and controls their production at all enterprises located on its territory using a system of economic incentives; facilitates the creation of conditions for increasing the output, expanding the assortment and improving the quality of goods;

2) aids in the creation of joint enterprises with firms of foreign countries, based on the principles of mutual benefit and equal rights;

3) on the basis of economic agreements, organizes the fulfillment of work on the manufacture of equipment and means of mechanization for the needs of the local economy at industrial enterprises, regardless of their departmental affiliation;

4) implements measures to develop leasing, full cost accounting, the contract order, and stockholding forms in industry.

Article 92. In the sphere of the agro-industrial complex:

1) provides for the procurement of all types of agricultural products and their deliveries to the union and republic funds, as well as for local consumption; organizes the conclusion of contracts and controls their fulfillment; stimulates the purchase of agricultural produce; formulates and distributes food funds for local consumption;

2) organizes control over adherence to kolkhoz charters, charters (statutes) of leasing enterprises (organizations), cooperatives and other agro-industrial formations;

3) resolves in the established order questions associated with the development of kolkhozes, sovkhoses, contract leasing enterprises (organizations), family and other forms of economic land management, creation of equal opportunities for them, development and activity of agricultural combines and other agro-industrial formations, their reorganization and liquidation; aids in the development of foreign economic relations of the agro-industrial complex with foreign partners;

4) manages land reclamation construction and ensures the effective operation of land reclamation structures;

5) develops a social policy which meets the needs and demands of rural residents and other spheres of the agro-industrial complex;

6) manages the veterinary service, in necessary cases establishes a quarantine and ensures adherence to quarantine and other veterinary-sanitary regulations;

7) ensures implementation of mandatory measures for combatting pest, crop diseases and weeds; in necessary cases adopts a resolution on imposing or removing plant quarantines, organizes control over the adherence to regulations on safety technology in the application of chemical means of protection, as well as regulations on plant quarantines.

Article 93. In the sphere of environmental protection, land application and application of natural resources:

1) implements state administration and state control over the application and protection of lands on the territory of the oblast;

2) gives its conclusion as to granting or removing land plots from the lands of kolkhozes, sovkhoses, or other agricultural enterprises, the forest fund, lands of industrial enterprises, transport and other land users for the needs of construction of all types of roads, production facilities, electrical transmission lines, pipelines, canals and other linear structures;

3) in the established order and in coordination with the lower Soviets, changes the boundaries of land use by sovkhoses and leasing enterprises in consolidation and deconsolidation of farms, and redistribution of lands between land users on the basis of scientifically substantiated land tenure projects;

4) grants permission for performing geological, seismic, survey, geodesic, and other exploratory operations on all lands in the order established by legislation, without removal of the land plots from the land users;

5) implements state administration and state control over the utilization and protection of water resources, forests, mineral resources, the atmospheric air and the wildlife on its territory; grants full or partial use of water facilities for specific use; participates in planning the development of forest management, the application of forest resources and valuable natural forest properties; ensures implementation of measures for the conservation and protection of forests, and for fighting forest fires; controls the implementation of mining developments;

6) provides for the development and implementation of measures on protection of the ecology, rational application, preservation and restoration of natural resources; implements control over the adherence to established hunting and fishing regulations, and directs the activity of societies for the protection of nature, hunters and fishermen.

Article 94. In the sphere of construction, urban development and architecture:

- 1) implements a unified urban development policy, resolves questions of comprehensive development, facilitates the development of architecture;
- 2) organizes work on the compilation of title lists for project survey work and capital construction, effective application of capital investments, and development of the material-technical base of construction organizations of oblast subordination;
- 3) approves the siting of new construction on the oblast territory, as well as the expansion and reconstruction of facilities of industrial, transport, municipal, cultural-domestic function, social provision and other facilities of oblast subordination;
- 4) in the established order, appoints state acceptance commissions, reviews and approves statutes of operational acceptance of completed facilities of oblast subordination; organizes cooperative construction, aids in individual housing construction; with the consent of enterprises, institutions, organizations, kolkhozes and sovkhozes, resolves questions of the joint application of their funds allocated for housing, municipal and road construction, the construction of educational, cultural, public health, physical culture and sports, and social provision institutions, trade and public catering enterprises, consumer services enterprises; also resolves questions of consolidating funds and defines the contractor for these types of construction.

Article 95. In the sphere of transport and communications:

- 1) implements control over the activity of transport enterprises and organizations of higher subordination which serve the public, and gives them aid on a contractual basis in fulfilling plans for cargo shipment;
- 2) organizes registration and accounting of automobiles and other forms of transport vehicles belonging to enterprises, institutions, organizations and citizens, as well as supervision of their technical condition;
- 3) takes measures to ensure highway traffic safety;
- 4) manages communications enterprises and organizations of oblast subordination, takes measures for improving service to the public by communications enterprises, provides aid on a contractual basis to enterprises of higher subordination in developing telephone, telegraph and mail communications, radio and television broadcasting, cable television, and repair and protection of communications means.

Article 96. In the sphere of housing, municipal services and improvements:

- 1) manages the housing, municipal services and improvements of enterprises, institutions and organizations of housing, municipal services and improvements

of oblast subordination; provides for the comprehensive development of housing and municipal services; implements measures for strengthening the material-technical base of enterprises and organizations in housing, municipal services and improvements;

- 2) develops and organizes the implementation of measures on power supply water supply, gas supply, heat supply and sewers for cities, villages and other population centers, and the provision of the population with municipal services and fuel; controls the construction and operation of purification structures and installations.

Article 97. In the sphere of road construction:

- 1) manages the construction, reconstruction, repair, maintenance and operation of roads of oblast significance; assists on a contractual basis in the construction, maintenance and operation of automobile roads of all-state and republic significance;
- 2) provides for the development of a production base for construction, repair-construction and operational road management enterprises and organizations of oblast subordination;
- 3) participates in the resolution of questions on classifying automobile roads as roads of oblast significance.

Article 98. In the sphere of labor, utilization of labor resources, and cadre training:

- 1) in cooperation with the ministries, state committees and departments, participates in developing plans for providing a work force for enterprises, associations and organizations;
- 2) approves plans for organized hiring of workers, relocation and employment of young people who have completed secondary general education schools; implements control over plan fulfillment, controls the fulfillment of enterprise and organization responsibilities for providing the necessary production, housing-domestic, and social-cultural conditions for incoming workers who have been hired under organized selection, and for providing them with the benefits specified by legislation;
- 3) implements measures for the development of inventions and innovations, and the introduction of inventive and innovative proposals into production; aids in the work of oblast organizations of societies for inventors and innovators, the scientific-technical societies, and other forms of worker production activity.

Article 99. In the sphere of social provision:

- 1) manages the affairs of social provision and the institutions and organizations of social provision of oblast subordination;
- 2) implements control over the operation of institutions and organizations of social provision of higher subordination located on the territory;
- 3) sets local pensions for individuals, files petitions in the order proscribed by legislation on establishing individual pensions granted by the republic;

4) forms the oblast Soviet for Social Provision of Kolkhoz Workers, and controls its activity;

5) implements measures on the development of a network of institutions of social provision and on strengthening the material bases of these institutions; implements measures for improving services to citizens living in social provision institutions;

6) resolves questions of issuing trip authorizations and one-time grants to invalids of the Great Patriotic War; also determines the means of transport they are to use and compensation for the transport services;

7) directs and controls the activity of the oblast organizations of societies for the blind and deaf; provides aid in the development of production-training and other enterprises of these societies.

Article 100. In the sphere of trade and public catering:

1) manages enterprises and organizations of trade and public catering of oblast subordination;

2) approves plans for goods turnover by enterprises and organizations in retail trade and public catering of oblast subordination; distributes and redistributes in accordance with the established nomenclature the retail consumer goods funds among the organizations of state trade and consumer cooperatives;

3) coordinates and controls the work of enterprises and organizations in trade and public catering of superior subordination;

4) organizes work on involving additional local resources of food and industrial goods into the commodity turnover;

5) organizes the study of public demand for consumer goods; provides for conclusion of contracts by enterprises, associations, kolkhozes and sovkhoses with enterprises and organizations of trade and public catering; implements measures for developing a network of trade and public catering enterprises, introducing progressive forms of trade, and improving services;

6) implements control over adherence to the oblast union of consumer societies charter and to democratic principles of managing the affairs of the consumer cooperative.

Article 101. In the sphere of consumer services:

1) manages consumer services enterprises and organizations of oblast subordination;

2) ratifies plans for the sale of consumer services to enterprises and organizations of oblast subordination, as well as the fulfillment in the established order of assignments on consumer services by enterprises and organizations of union and republic subordination;

3) coordinates and controls the work of consumer services enterprises and organizations of higher subordination;

Article 102. In the sphere of public education and science:

1) provides for strengthening of the instructional-material base of schools, boarding schools, children's homes, children's pre-school and extracurricular institutions, as well as the material base for labor training and upbringing of school children;

2) cooperates in the development of science; aids in the work of higher and secondary special educational institutions, scientific-research institutions, as well as professional-technical educational institutions located on the oblast territory.

Article 103. In the sphere of public health:

1) manages the affairs of public health in the oblast, as well as public health organizations and institutions of oblast subordination; implements measures for strengthening their material-technical base; takes measures for developing the network of public health institutions; provides for the organization of medical aid to the public;

2) implements control over the work of public health institutions of higher subordination;

3) coordinates and controls the activity of all enterprises, institutions and organizations on the development and adoption of measures in the field of health protection, provision of sanitary-epidemiological well-being of the population; in the case of threat of emergence and spread of epidemic infectious diseases, provides for specific conditions and work regimen, institutional sessions, relocation and transfers directed at preventing the spread and elimination of these diseases;

4) adopts measures for providing the oblast population and the preventative treatment institutions with medicines and medical supplies, as well as measures for construction of enterprises for production of single-use (disposable) medical instruments;

5) implements measures for AIDS prevention and for opening specialized laboratories on anion study of blood for AIDS;

6) implements state control over the adherence to regulations on improving the healthfulness of the environment and sanitary protection of the water reservoirs, soil and atmospheric air;

7) provides for the development of major recreational zones for workers, in coordination with the lower Soviets defines recreational zones, and implements control over their application.

Article 104. In the sphere of physical culture and sports:

1) manages the affairs of physical culture and sports;

2) provides for the development of a network of sports facilities and buildings and their location on the oblast territory; creates centers for physical culture-health treatment work among the population; takes measures for strengthening the material-technical base for physical culture and sports activities;

3) organizes the implementation of oblast sports measures;

4) directs the activity of oblast organizations of volunteer sports societies;

Article 105. In the sphere of national-cultural construction, cultural-enlightenment work and art:

1) manages cultural-enlightenment work, cultural-enlightenment organizations and artistic institutions; provides for the increased role of cultural-enlightenment institutions and artistic institutes in the moral-political, labor, ideological and aesthetic upbringing, and implements measures for strengthening their material-financial base;

2) coordinates and controls the activity of cultural-enlightenment organizations and institutions, artistic organizations and institutions regardless of their subordination;

3) develops and implements comprehensive measures for the development of a network of culture and art institutions in the oblast, developing the system of cultural services to the population, and creating rural cultural complexes;

4) manages the development of television and radio broadcasting; organizes cinema service to the population; implements measures for the development of theater, music, choreography, expressive art, and other types of arts, as well as folk art and artistic amateur activity; organizes festivals, 10-day festivals, competitions, shows, exhibits and other measures in the sphere of culture and art;

5) implements state management and state control in the sphere of protection and application of historical and cultural monuments;

6) manages publication affairs, polygraphic production, enterprises and organizations in the book trade of oblast subordination.

Article 106. In the sphere of ensuring socialist legality, protection of law and order and the rights and freedoms of citizens:

1) ensures equal rights of citizens of the Tajik SSR in all spheres of economic, political, social and cultural life as secured by the Tajik SSR Constitution;

2) ensures the adherence to laws on its territory, the protection of state and public order, and the rights of citizens, enterprises, organizations and institutions, cooperative and other public organizations;

3) manages its subordinate agencies of internal affairs, municipal (local) militia, agencies for recording acts of civil status (registrar's office); aids in the activities of volunteer people's brigades, comrade courts and other social formations;

4) takes measures for improving the conditions of activity of the courts, agencies of the state procurator's office, the State Board of Arbitration, as well as the bar;

5) in cases specified by law, listens to people's judges of rayon (city) people's courts about their work;

6) develops comprehensive programs for preventing violations of the law and providing priority directions for activity of state agencies and public organizations on strengthening legality and law and order with consideration for the situation of increasing crime;

7) suspends the effect of administrative statutes of enterprises, organizations and institutions, kolkhoz and cooperative state boards and other elective organizational-economic units located on the appropriate territory, if the statutes contradict the legislation or the resolutions of the Soviet adopted within the limits of its competence;

8) in cases of natural disasters, epidemics, epizootic outbreaks, fires, and mass disruptions of public order specified by the legislation, implements specific measures for ensuring the personal safety of the citizens, defending their rights, and protecting socialist property and law and order.

Article 107. In the sphere of defense:

1) ensures the fulfillment of USSR Laws on general military responsibility by all officials and citizens, as well as by enterprises, organizations and institutions;

2) manages civil defense on the oblast territory;

3) controls adherence to legislation on benefits and privileges established for participants in the Great Patriotic War and persons equated to them, citizens placed on reserve and demobilized from the ranks of the USSR Armed Forces, as well as on benefits and grants to the families of citizens called up to active military duty and soldiers and partisans who have been killed;

4) implements measures for ensuring the training of reservists for the USSR Armed Forces and the fulfillment of other defense tasks;

5) organizes work on military-patriotic upbringing of the population, directs and controls the work of volunteer defense societies.

Article 108. In the sphere of awards:

—reviews petitions and offers suggestions on granting USSR and Tajik SSR state awards; awards certificates to oblast (Dushanbe city) Soviet of People's Deputies; organizes the presentation of USSR and Tajik SSR state awards.

[signed] *K. Makhkamov, President, Tajik SSR, Dushanbe, 23 February 1991*

Tajik Decree on Implementation of Law on Local Self-Government, Local Economy

914A0664A Dushanbe KOMMUNIST
TADZHIKISTANA in Russian 9 Apr 91 p 3

[“Decree of Tajik SSR Supreme Soviet on the Procedure for Implementing the Tajik SSR Law ‘On Local Self-Government and Local Economy in the Tajik SSR’”]

[Text] The Supreme Soviet of the Tajik Soviet Socialist Republic decrees:

1. To put the Tajik SSR law: “On Local Self-Government and Local Economy in the Tajik SSR” into effect on the day of its publication.

2. To declare invalid from the time of the introduction of the Tajik SSR law: “On Local Self-Government and Local Economy in the Tajik SSR”:

—the Tajik SSR law of 19 November 1980 “On the Oblast Soviet of People’s Deputies of the Tajik SSR” (VEDOMOSTI VERKHOVNOGO SOVETA TADZHIKSKOY SSR, 1980, No. 23, Article 247; 1982, No. 15, Article 173);

—the Tajik SSR law of 14 December 1979: “On the Rayon Soviet of People’s Deputies of the Tajik SSR” (VEDOMOSTI VERKHOVNOGO SOVETA TADZHIKSKOY SSR, 1979, No. 24, Article 180; 1982, No. 15, Article 173);

—the Tajik SSR law of 14 December 1979: “On the City and Rayon-in-City Soviet of People’s Deputies of the Tajik SSR” (VEDOMOSTI VERKHOVNOGO SOVETA TADZHIKSKOY SSR, 1979, No. 24, Article 181);

—the Tajik SSR law of 14 December 1979: “On the Village and Kishlak Soviet of People’s Deputies of the Tajik SSR” (VEDOMOSTI VERKHOVNOGO SOVETA TADZHIKSKOY SSR, 1979, No. 24, Article 182).

3. Local soviets of people’s deputies of the Tajik SSR, in keeping with the present law, are to resolve organizational issues at their regular meetings.

4. To instruct the Tajik SSR Cabinet of Ministers:

—before 1 July 1991, to determine the procedure for transferring property and the list of it to be transferred for payment or free of charge to the communal property at various territorial levels. To develop normatives for budget support per one resident of the republic and to submit these for the consideration of the Tajik SSR Supreme Soviet;

—to bring the decrees and instructions of the Tajik SSR Government into line with the Tajik SSR law: “On Local Self-Government and Local Economy in the Tajik SSR”;

—to provide for revision and revocation by ministries, state committees, and departments of the Tajik SSR of their normative acts and instructions that contradict this law.

5. The Tajik SSR Cabinet of Ministers, in conjunction with the oblast, rayon, city, kishlak, and village soviets of people’s deputies, is to implement a complex of measures for preparing the local economy and the material and technical base for operation under the conditions of self-government and the new economic and legal relations.

6. The committees of the Tajik SSR Supreme Soviet and the presidium of the Tajik SSR Supreme Soviet are to provide for monitoring the implementation of the Tajik SSR law: “On Local Self-Government and Local Economy in the Tajik SSR.”

[signed] K. Aslonov, Chairman, Tajik SSR Supreme Soviet, Dushanbe, 23 February 1991

Tajik Law on Property Issued

Text of Law

914A0690A Dushanbe KOMMUNIST
TADZHIKISTANA in Russian 26 Dec 90 pp 1,3

[Text of Law of the Tajik SSR “On Property in the Tajik SSR”]

[Text] Dushanbe, 5 Dec—The transition of Tadzhikistan’s economy to the principles of market relations assumes the legal regulation of the new social relations, including property relations.

Property in the TaSSR is inviolable. Any form of property is permitted that facilitates both increased efficiency for the economy and the prosperity of the working people of the TaSSR.

Property relations in the TaSSR are regulated by the Law on Property in the Tajik SSR, which establishes a range of property owners, forms of property, the maintenance and objects of the right of property, and procedures for exercising and protecting the right of property.

Section 1. General Provisions

Article 1. The Right of Property

1. The right of property in the Tajik SSR is recognized and protected by law.

2. The property owner owns, uses, and disposes of the property belonging to him. The owner has the right to perform any actions with respect to his own property that do not contradict the law and do not infringe on the

rights of other owners. The owner is permitted to use his property to carry out any economic or other activity not prohibited by law.

3. In the instances, under the conditions, and within the limits provided by law, other individuals may impose mandatory limitations on the use of his property.

4. The owner may alienate his own property as well as transfer it to the possession, use, or disposal of other individuals without alienation.

5. The owner has the right, in the conditions and within the limits provided by legislative acts of the USSR and the TaSSR, to negotiate agreements with citizens on the utilization of their labor in the exercise of the right of property belonging to him.

Regardless of the form of property on the basis of which a citizen's labor is used, his wages and working conditions are guaranteed, as are other socio-economic guarantees stipulated in the current legislation.

Article 2. Exercise of the Right of Property

1. Exercise of the right of property must not inflict harm on the surrounding environment or violate rights and interests protected by law of citizens, enterprises, organizations, or states.

2. Utilization of any form of property must exclude alienation of the worker from the means of production and exploitation of one man by another.

Article 3. Legislation of the Tajik SSR on Property

1. The present law, in accordance with the Constitution of the TaSSR, establishes the basic tenets on property effective on the territory of the TaSSR.

2. Property relations not envisaged by the present law shall be regulated by other legislative acts of the TaSSR.

Article 4. The Special Exercise of the Right of Property for Certain Objects

1. Exercise of the right of property on historical and cultural monuments shall be determined by special legislation of the TaSSR.

2. Relations in the creation and use of inventions, discoveries, scientific achievements and scientific ideas, works of literature, art, and other objects of intellectual property shall be regulated by special legislation of the TaSSR.

Article 5. Objects of the Right of Property

1. Objects of the right of property include: land, its minerals, water, the vegetable and animal world, buildings, facilities, equipment, objects of material and spiritual culture, money, securities, and other objects not prohibited by law.

2. Results of economic utilization of property (output and income), if not otherwise provided for by law or contract, shall belong to the owner of that property.

Article 6. Subjects of the Right of Property

1. Subjects of the right of property in the TaSSR are the state, citizens of the TaSSR, collectives, public and religious organizations, other associations of citizens and collectives, congresses of people's deputies at all levels in the person of their authorized organs, foreign states, international organizations, and other foreign juridical persons and citizens.

2. The TaSSR provides for the inviolability of property and the opportunity to exercise the right of property for every owner.

3. The creation and functioning on the territory of the TaSSR of free economic zones, which provide the most propitious conditions for the functioning of the property of foreign and soviet juridical persons and citizens, the import and export of property and income is permitted, if not otherwise prohibited by other legislative acts.

Article 7. Forms of Property

1. Property in the TaSSR shall take the form of property of citizens of the TaSSR and of collective and state property.

In the TaSSR there can exist property of the USSR, union and autonomous republics, and their juridical persons and citizens.

In the TaSSR there can exist property of foreign states, international organizations, and foreign juridical persons and citizens.

2. Uniting property held in the possession of citizens, juridical persons, and states, and the formation on this basis of mixed forms of property, including property of joint enterprises with the participation of Soviet juridical persons and citizens, is permitted.

3. Legislative acts of the TaSSR can establish other forms of property not envisaged by the USSR law "On Property in the USSR" and the present law.

4. Ownership may pertain by the right of common (proportional or joint) property of several persons simultaneously, regardless of the form of property.

5. The TaSSR shall create the necessary conditions for the development of various forms of property and shall provide for their protection.

Article 8. The Application of Penalties to the Property of an Owner

According to the obligations of the juridical person, a penalty may be applied to any type of property belonging to him by the right of property or of full economic

possession, as well as operative administration, except for the instance envisaged by article 31 of the present law.

The owner is not responsible for the obligations of the juridical persons created by him, and they are not responsible for the obligations of the owner, with the exception of those instances envisaged by legislative acts of the TaSSR.

Article 9. Responsibility of the Owner

1. The owner is obligated to safeguard and augment the property belonging to him.
2. The owner is accountable for his obligations with his property, unless legislation of the TaSSR or a contract stipulates otherwise.
3. A list of the property of citizens to which a penalty may be applied for claims of creditors shall be established by legislative acts of the TaSSR.

Section 2. The Property of Citizens of the Tajik SSR

Article 10. General Propositions on the Property of Citizens

1. The property of citizens shall be created and augmented at the expense of their labor income derived from participation in public production, from the conduct of their own farm, from funds and income invested in credit institutions, from shares and other securities, from the acquisition of property by inheritance, and on other bases allowed by law.

2. The citizen possesses the exclusive right to dispose of his own capacities for productive and creative labor.

The citizen shall exercise this right independently or on the basis of a labor contract.

3. The citizen has the right, with the agreement of the owner, to make a monetary or other contribution to the property of the enterprise, other economic organization, peasant or other labor economy in which he works on a labor contract and to participate in the distribution of profit (income) of that enterprise (organization) or farm in proportion to the size of that contribution or on conditions determined by agreement.

4. The right of citizens to inherit property is recognized and protected by law.

Article 11. Objects of Citizens' Right of Property

1. Citizens' property may include homes, summer houses, garden buildings, plantings on personal plots, domestic animals, means of transport, money, shares and other securities, objects of domestic and personal use, means of production for the conduct of private subsidiary farming and gardening, labor and peasant economies, individual and other economic activities, output produced and income received, as well as other property of consumer and productive significance.

2. Citizens' property may include small enterprises in the sphere of consumer goods production, domestic services, trade, public catering, and other areas of economic activity.

Procedures and conditions for transferring enterprises or means of production to the property of citizens shall be established by the TaSSR Council of Ministers.

3. A member of a housing, housing construction, summer house, garage, or other cooperative who has paid in full his contributing share to the apartment, summer house, garage, or other building or structure presented to him for use, acquires the right of ownership to this property.

A renter of housing in a building of the state or public housing fund and members of his family have the right to purchase from the owner their respective apartment or house.

After the acquisition of said property to his property, the citizen has the right to dispose of it at his discretion: to sell it, bequeath it, lease it, or complete other transactions with it that do not contradict the law.

4. Legislative acts of the TaSSR may establish types of property that cannot be the property of citizens. The content and value of other property acquired by a citizen at the expense of his own labor income and savings and on other bases permitted by law are not restricted.

Article 12. Property of a Labor Economy

1. The property of persons jointly conducting a labor economy, including several families, family members, and other people, may include a workshop, other small enterprise in the sphere of the production of consumer goods, domestic services, trade, public catering, and other spheres of economic activity, houses and economic structures, vehicles, equipment, means of transport, raw materials, and materials and other property necessary for the independent conduct of the economy.

2. The property of a labor economy, including the output produced and income received, is the common proportional property of family members and other individuals jointly conducting the economy unless the agreement between them stipulates otherwise.

Article 13. Property of a Peasant or Other Private Subsidiary Farm

1. A peasant farm may have in its property houses, farm structures, plantings on farm plots, breeding and working livestock, poultry, agricultural technology and inventory, means of transport, and other property necessary for the independent conduct of agricultural production, processing, and sale of output.

Output produced and income received are the property of the peasant farm, which shall use them at its discretion, unless otherwise stipulated by law.

2. The property of a peasant farm belongs to its members by the right of common joint property, unless stipulated otherwise by legislative acts of the TaSSR.

3. The rules of the present article shall also apply to the personal subsidiary farms of citizens.

Section 3. Collective Property

Article 14. General Propositions on Collective Property

1. Collective property covers the property of leasing enterprises, collective enterprises, cooperatives, kolkhozes, joint-stock companies, companies and partnerships, business associations, public and religious organizations, makhallya property, and the property of other associations that are juridical persons.

2. The formation and augmentation of collective property is provided for by the transmission of state enterprises for lease, the presentation to collectives of workers of the opportunity to utilize income received for the purchase of state property, the transformation of state enterprises into joint-stock companies, and the voluntary unifying of property of citizens and juridical persons for the creation of cooperatives, joint-stock companies, and other companies and partnerships.

3. The list of enterprises and productions not subject to transmission into various forms of collective property shall be determined by the TaSSR Supreme Soviet.

Article 15. Property of the Collective Enterprise

1. Property of a collective enterprise arises in the event of a transfer of the entire property of a state enterprise to the property of a labor collective, the purchase of leasing property, or the acquisition of property by other means provided for by law.

The property of a collective enterprise, including output produced and income received, is the common property of its collective.

2. In the property of a collective enterprise the contribution of its workers is determined. The contribution comprises the sum of the worker's contributions to the property of the state or leasing enterprise on the basis of which the collective enterprise is formed as well as the worker's contribution to the increase in the property of that enterprise after its creation.

The amount of the worker's contribution to and augmentation of the property shall be determined on the basis of his labor participation in the activities of the enterprise.

The contribution of the worker in the collective enterprise shall be used to calculate and pay out interest in an amount determined by the labor collective based on the results of the enterprise's economic activity.

A worker who has ceased his labor relations with an enterprise, as well as the heirs of a deceased worker, shall

be paid the value of his contribution. Upon the liquidation of the collective enterprise, the value of the contribution shall be paid out to the workers (their heirs) from the property remaining after settlement with the budget, the banks, and the enterprise's other creditors.

Article 16. Property of a Leasing Enterprise

The property of a leasing enterprise comprises the output and income received as a result of utilizing the leasing property.

The property of a leasing enterprise may also include material and other valuables that do not comprise the leasing property and that were received or acquired by it or created by the labor of the members of the collective of the leasing enterprise according to bases provided for by law.

The procedures and conditions for participation by members of the labor collective of a leasing enterprise in the administration of its affairs and in the distribution of profit (income) is determined by the law of the Tajik SSR: "On Leasing in the Tajik SSR."

Article 17. Property of a Cooperative

1. The property of a cooperative is formed at the expense of the monetary and other property contributions of its members, the output they produce, the income received from its sale, and other activities provided for by the charter of the cooperative.

2. Upon the liquidation of a cooperative, the property remaining after settlement with the budget, the banks, and other creditors shall be distributed among the members of the cooperative.

Article 18. Property of a Company or Partnership

1. The property of companies and partnerships that are juridical persons shall be formed at the expense of the contributions of the participants and property received as a result of economic activity and acquired on other bases permitted by law.

2. The contribution of the participant in a company or partnership may include fixed and circulating funds, monetary means and securities, as well as property use rights.

3. Participants in a company or partnership can be enterprises, institutions, organizations, and state organs, as well as citizens, unless otherwise stipulated by legislative acts of the TaSSR.

Article 19. Property of a Joint-Stock Company

1. A joint-stock company is the owner of property created at the expense of the sale of shares, as well as received as a result of its economic activity and acquired by it on other bases permitted by law.

2. Shareholders may be enterprises, institutions, organizations, and state organs.

Shareholders may be workers of the given company as well as other citizens unless otherwise stipulated by legislative acts of the USSR and TaSSR or the charter of the company.

3. A state enterprise by joint decision of the labor collective and the duly authorized state organ may be transformed into a joint-stock company by issuing stock for the entire value of the enterprise's property. The means received from the sale of shares after covering the debts of the state enterprise shall enter into the corresponding budget.

Article 20. Property of Economic Associations

1. An economic association of enterprises and organizations (including concerns and branch, interbranch, and regional associations) possesses the right of ownership to property voluntarily transferred to it by enterprises and organizations, as well as received as a result of its economic activity.

2. An economic association does not have the right of ownership to property of the enterprises and organizations belonging to it.

3. Property remaining after the cessation of activity of an economic association shall be distributed among the enterprises and organizations that belonged to it.

Article 21. Property of Public Organizations and Funds

1. Public organizations and funds, including charitable ones, may have as property buildings, facilities, a housing fund, means of production, equipment, inventory, property of cultural-educational and sanitary significance, monetary means, shares, other securities, and other property necessary for the material provision of the activities envisaged by their charters (statutes). The property of public organizations (funds) may also include enterprises of productive, domestic, and social-cultural significance, created in accordance with the goals indicated in their charters (statutes), at the expense of the funds of these organizations (funds).

2. The property of public organizations and funds is formed out of entrance dues if their payment is stipulated for by the charters, and out of voluntary contributions and donations, proceeds from the conduct of lotteries and other enterprises, income from productive and publishing activities, and other legally permitted proceeds. Legislation of the TaSSR can establish types of property that may not be owned by public organizations.

Public organizations and movements pursuing political goals do not have the right to receive financial or other material assistance from foreign organizations and citizens.

3. In the event that a member of public organization leaves that public organization, the member does not acquire the right to the return of the dues he has paid, voluntary donations, or other payments or property of

the public organization, unless otherwise provided by the normative acts of the TaSSR, the charter, or a contract.

4. Property remaining after the liquidation of a public organization (fund) shall be directed toward the goals stipulated in its charter (statutes).

Article 22. Makhallya Property

1. The property of a makhallya may include buildings, facilities, equipment, inventory, plantings, property of cultural-educational and sanitary significance, monetary means, and other property necessary to ensure the well-being and satisfaction of social needs for the inhabitants of the given makhallya and not bearing on the property of other public organizations.

2. A makhallya's property is created at the expense of voluntary contributions and donations of the inhabitants, as well as on other bases provided for by law.

Article 23. Property of Religious Organizations

The property of religious organizations may include buildings, cult objects, objects of productive, social, and charitable significance, monetary means, and other property necessary to ensure their activities.

Religious organizations do not have the right to own property acquired or created by them at the expense of their own means, donated by citizens or organizations, or transferred by the state, as well as at the expense of other sources stipulated by law.

Section 4. State Property

Article 24. General Propositions on State Property

1. State property in the TaSSR includes the property of the TaSSR, the property of the Gorno-Badakhshanskaya AO, the property of the local congresses of people's deputies, all-union property, and the property of other union and autonomous republics.

Disposition and management of state property shall be carried out in the name of the people (the population of the administrative-territorial formation) by the corresponding congresses of people's deputies and their duly authorized state organs.

By agreement among its owners, state property may be held as their common property.

2. Property created or acquired at the expense of budget or other means of the TaSSR, Gorno-Badakhshanskaya AO, local congresses of people's deputies, or funds under their jurisdiction that belong to enterprises, organizations, and institutions belongs, respectively, to the TaSSR, the Gorno-Badakhshanskaya AO, or the local congresses of people's deputies.

3. The TaSSR, Gorno-Badakhshanskaya AO, and local congresses of people's deputies are not responsible for

the obligations of each other or for the obligations of the USSR, the union republics, or autonomous formations.

Article 25. Property of the TaSSR

1. The property of the TaSSR includes land, minerals, internal waters, air basin, the vegetable and animal world, the means of the republic budget, republic banks, enterprises, and economic complexes, republic insurance, reserve, and other funds, higher educational institutions of republic significance, the property of the republic's organs of power and administration, cultural and historical valuables of the peoples of the TaSSR, objects of the social-cultural sphere, and other property acquired at the expense of the republic's means or transferred free of charge to the property of the TaSSR by the USSR, other republics, juridical persons, or citizens that ensure the state sovereignty and economic independence of the TaSSR and its economic and social development.

Article 26. Property of the Gorno-Badakhshanskaya AO

The property of the Gorno-Badakhshanskaya AO includes land, minerals, water, the vegetable and animal world, the property of its organs of power and administration, the means of the oblast budget, the housing fund and housing-communal administration, enterprises of agriculture, trade, domestic services, and transport, industrial, construction, and other enterprises and complexes, institutions of health care, education, and culture, and other property necessary for the economic and social development of the oblast. The property of the Gorno-Badakhshanskaya AO is simultaneously the property of the TaSSR.

Article 27. Property of the Local Congresses of People's Deputies

The property of the oblast, town, rayon, or other administrative-territorial formation includes the funds of the local budget, the housing fund and housing-communal administration of the local congress of people's deputies, enterprises of industry, construction, transport, trade, agriculture, and domestic services, institutions of education, health care, and culture, the property of the organs of power and administration of the administrative-territorial formation, and other property necessary for economic and social development.

Article 28. Property of the USSR and Other Union and Autonomous Republics

Objects of ownership of the USSR and other union and autonomous republics on the territory of the TaSSR shall be determined by agreement between the TaSSR and the USSR and other union and autonomous republics.

Article 29. Property of a State Enterprise

1. Property that is state property and is allotted to a state enterprise belongs to it by the rights of full economic possession.

Exercising the right of full economic possession on its property, the enterprise possesses, uses, and disposes of said property and at its own discretion commits any action with regard to it that does not contradict the law. The rules on the right of property apply to the right of full economic possession, unless otherwise stipulated by legislative acts of the USSR and TaSSR.

2. State organs authorized to administer state property and resolve the problems of creating enterprises and determining the goals of its activity, reorganization, and liquidation, exercise control over the effective utilization and preservation of the state property entrusted to it as well as other powers in accordance with the legislative acts of the USSR and TaSSR.

3. In the event that a state organ authorized to administer state property decides to reorganize or liquidate the state enterprise, other than instances when it is deemed unprofitable (bankrupt), the labor collective has the right to demand the transfer of the enterprise to leasing or its transformation into another enterprise based on collective property. Disputes arising in such instances between the state organ and the labor collective shall be resolved by state arbitration.

Article 30. Property of Members of the Labor Collective of a State Enterprise

1. Property remaining with a state enterprise after the payment of taxes and other payments to the budget (net profit) shall enter into the disposition of the enterprise's labor collective. A portion of this profit shall be transferred to the property of the members of the labor collective in accordance with the procedure and amounts determined by legislative acts.

2. The amount of profit belonging to a member of a labor collective forms his contribution. Shares may be issued for the sum of the contribution of the labor collective member.

The enterprise shall pay interest (dividends) annually on contributions (shares). The size of the share of profit directed toward the payment of interest (dividends) shall be determined by agreement between the administration of the enterprise and the labor collective.

3. With the agreement of the labor collective member, the sum of his contribution (wholly or partially) may be directed toward the construction or acquisition of a house or other objects of social-cultural significance. Interest shall not be paid on the corresponding amount of contribution.

A labor collective member has the right to receive the amount of his contribution (the value of his shares) according to the procedures and deadlines determined by joint decision between the administration and labor collective.

Upon liquidation of an enterprise, the amount of contribution (value of shares) shall be paid out to labor collective members (their heirs) out of the property

remaining after settling with the budget, banks, and other creditors of the enterprise.

Article 31. Property of a State Institution

1. Property that is state property and assigned by the owner to a state institution (organization) included in the state budget shall be under the operative administration of that institution (organization).

2. State institutions (organizations) included in the state budget that may in instances provided for by legislative acts of the TaSSR carry out economic activity acquire the right to independent disposition of any income from that activity and property acquired at the expense of that income.

3. A state institution (organization) is responsible for its obligations with the monetary means at its disposal. Given an insufficiency of funds for the state institution (organization), responsibility for its obligations shall be borne by the owner of the corresponding property.

Article 32. Ownership of Land and Other Natural Resources

1. The land and its minerals, internal waters, air basin, and vegetable and animal world are the inalienable legacy of the people and the exclusive property of the TaSSR.

The TaSSR shall exercise, in accordance with the laws of the TaSSR, possession, use, and disposal of its lands and other natural resources.

2. In the possession and use of the USSR (its organs and organizations) there may be plots of land and other natural objects on the territory of the TaSSR presented to it by agreement between the TaSSR and USSR. Conditions for their possession and use shall be established by the TaSSR.

3. The procedure for presenting land and other natural resources for possession and use, as well as removal, shall be determined by legislation of the TaSSR, and the ensuring of all-union and interrepublic needs, the defense and safety of the country shall be determined by legislation of the USSR and TaSSR on the utilization and protection of natural resources, as well as by agreement between the TaSSR, USSR, and the union republics.

4. The use and disposition of land, water, the air basin, and other natural resources located on the territory of the TaSSR and other union republics and affecting interrepublic interests, shall be exercised by agreement between them, with the participation of the USSR if necessary.

5. Deposits of useful minerals and natural resources of the TaSSR may be presented to the possession and use of the USSR, other union republics, foreign states, juridical persons, and citizens on the basis of an agreement between them and the TaSSR.

6. Disputes arising between the USSR, union republics, and the TaSSR in connection with the presentation and utilization of land, water, and other natural resources shall be considered according to the rules of arbitration examination or according to some other procedure established by law.

Section 5. Property of Joint Enterprises, Foreign States, Organizations, and Citizens

Article 33. Property of Joint Enterprises

Joint enterprises with the participation of the juridical persons of the TaSSR and foreign juridical persons and citizens shall be created on the territory of the TaSSR and beyond its borders in the form of joint-stock companies, companies, and partnerships, and may own property necessary for carrying out activities envisaged by institutional documents.

Article 34. Property of Foreign States and International Organizations

Foreign states and international organizations have the right to own on the territory of the TaSSR property necessary for carrying out diplomatic, consulate, social-cultural, and other international relations in the instances and procedures established by international agreements and legislative acts of the USSR and TaSSR.

Article 35. Property of Foreign Juridical Persons

Foreign juridical persons have the right to own on the territory of the TaSSR industrial and other enterprises, buildings, facilities, and other property for the purposes of carrying out economic and other activity in the instances and procedures established by legislative acts of the TaSSR.

Article 36. Property of Foreign Citizens and Noncitizens

The statutes of the present law bearing on the property of citizens of the TaSSR shall apply as well to property of foreign citizens and noncitizens located in the TaSSR.

Section 6. Guarantees and Protection for the Right of Property

Article 37. Guarantees of the Right of Property

1. The TaSSR guarantees the stability of property relations established by the present law.

2. No one may take property away from its owner, with the exception of instances established by legislative acts of the TaSSR.

3. In the event that the TaSSR passes legislative acts curtailing the right of property, losses incurred by the owner as a result of the passage of those acts, by decision of the court, shall be compensated to the owner by the TaSSR.

Article 38. Protection of the Right of Property

1. Owners have the right to obtain on demand their property from alien illegal possession in accordance with civil legislation of the TaSSR.

2. An owner may demand the cessation of any violations of his right, although the violations may not have involved deprivation of possession.

3. Protection of the right of property shall be implemented by the court, state arbitration, or an arbitration tribunal.

4. The rights envisaged by the present law shall belong as well to an individual who may not be an owner but who possesses property by the right of full economic possession, operative management, lifetime inherited possession, or on some other basis envisaged by law or contract. This person has the right to protection of his possession as well against the owner.

Article 39. Protection of the Interests of the Owner Given the Curtailment of His Rights on Grounds Provided for by Law

1. Curtailment of the right of property in connection with the decision to take away a plot of land on which there is a house, other structures, facilities, or plantings belonging to the owner or with another decision of a state organ not expressly intended to take property away from its owner, shall be permitted only in instances and procedures established by legislative acts of the TaSSR, with compensation to the owner in the full amount for the losses incurred due to the curtailment of the right of property.

Unless the owner agrees, a decision entailing curtailment of the right of property may not be implemented until the dispute is resolved by a court, state arbitration, or arbitration tribunal. During consideration of the dispute, all issues of compensation to the owner for losses incurred shall be resolved as well.

2. Removal by the state of property from the owner is allowable only by way of penalty on this property according to the owner's circumstances in the instances and procedures stipulated by legislative acts of the TaSSR, as well as in the procedure of requisition and confiscation.

In the event of natural disasters, accidents, epidemics, epizootics, and other circumstances bearing an extraordinary nature, property may in the interests of society at the decision of the organs of state power be taken away from the owner in the procedures and conditions established by legislative acts of the TaSSR, with payment to him of the value of the property (requisition).

In instances stipulated by legislative acts of the USSR and TaSSR, property may be taken away from the owner by decision of the court, state arbitration, or other

competent state organ (official) in the form of sanctions for the commission of crimes or other violations (confiscation).

Article 40. Invalidity of Acts Violating the Rights of Owners

If as a result of the publication of an act of an organ of state administration, a local organ, or an organ of state power that is not in line with the law on the rights of an owner or other persons to possess, use, or dispose of property belonging to them are violated, said act is acknowledged invalid by the suit of the owner or the person whose right has been violated.

Losses incurred by citizens, organizations, and other persons as a result of the publication of said acts are subject to compensation in full at the expense of funds at the disposal of the corresponding organ of power or administration.

[signed] *K. Makhkamov, President, Tajik SSR, Dushanbe, 5 December 1990*

Decree on Law's Implementation

*914A0690B Dushanbe KOMMUNIST
TADZHIKISTANA in Russian 26 Dec 90 p 1*

[Decree of the TaSSR Supreme Soviet, issued by TaSSR Supreme Soviet Chairman K. Aslonov: "On the Implementation of the TaSSR Law: 'On Property in the TaSSR'"]

[Text] The Supreme Soviet of the Tajik Soviet Socialist Republic resolves:

1. To implement the TaSSR law "On Property in the TaSSR" effective 1 January 1991.

2. Until the legislation of the TaSSR is brought into line with the TaSSR law: "On Property in the TaSSR," the effective acts of legislation of the TaSSR shall apply insofar as they do not contradict that law. In this the decisions of the government of the TaSSR published before the implementation of the present law on issues that according to the law may be regulated only by legislative acts shall be effective until passage of the corresponding legislative acts.

3. The TaSSR law "On Property in the TaSSR" applies to legal relations arising after the implementation of the law, that is, as of 1 January 1991.

For legal relations arising before 1 January 1991, the TaSSR law "On Property in the TaSSR" shall apply to those rights and responsibilities that arise after the implementation of the law.

The propositions of point 3, article 11, of said law shall apply to legal relations arising both before and after 1 January 1991.

4. The propositions of the TaSSR law "On Property in the TaSSR" relating to state property, property of the

TaSSR, property of the Gorno-Badakhshanskaya AO, property of local congresses of people's deputies, all-union property, and property of other union and autonomous republics shall go into force according to the extent of delimitation of property between the indicated types of property.

5. The TaSSR Council of Ministers shall ensure:

—jointly with the USSR Council of Ministers the delimitation of property between all-union property and property of the TaSSR, proceeding from the fact that the property of the TaSSR, besides the property of enterprises, institutions, and organizations of republic subordination, must also include the property of enterprises, institutions, and organizations of union subordination transferred to the property of the TaSSR;

—jointly with the ispolkoms of the congresses of people's deputies of the Gorno-Badakhshanskaya AO, the Kulyabskiy, Kurgan-Tyubinskiy, Leninabadskiy oblast and Dushanbinskiy municipal congresses of people's deputies, the ispolkoms of rayon and municipal (republic-subordinated) congresses of people's deputies, the delimitation of property between republic property and the property of local congresses of people's deputies.

In doing so to proceed from the fact that the property of the local congresses of people's deputies, besides property of local subordination, must also include the property of enterprises, institutions, and organizations of republic subordination that have been transferred to the property of the local congresses of people's deputies.

6. Cases referred by the TaSSR law "On Property in the TaSSR" to the jurisdiction of the court and state arbitration and not completely carried through in the administrative and other organs by 1 January 1991 shall be subject to examination by the courts and organs of state arbitration in accordance with the established jurisdiction.

7. Rules on the protection of the right of property envisaged by articles 38, 39, and 40 of the TaSSR law "On Property in the TaSSR" shall apply as well to demands arising before the law's implementation.

The right envisaged in point 3, article 37, of said law on compensation for losses incurred by the owner due to the passage of the legislative act curtailing the right of property shall apply with respect to acts passed after the law's implementation.

8. To instruct the TaSSR Council of Ministers:

—to bring the decisions of the government of the TaSSR into line with the TaSSR law "On Property in the TaSSR";

—to ensure the review and repeal by ministries, state committees, and departments of the TaSSR of any of

their normative acts, including instructions, that contradict the TaSSR law "On Property in the TaSSR";

—to submit plans for examination to the next session of the TaSSR Supreme Soviet;

—for legislative acts of the TaSSR regulating relations in the creation and utilization of inventions and discoveries, works of science, literature, and art, and other objects of intellectual property;

—for a legislative act determining the types of property that for reasons of state and public interests and safety either in line with international agreements of the USSR and TaSSR may not be owned by citizens;

—for legislative acts on joint-stock companies and other companies and partnerships;

—for a proposal on bringing the legislative acts of the TaSSR into line with the TaSSR law "On Property in the TaSSR."

[signed] K. Aslonov, Chairman, Tajik SSR Supreme Soviet, Dushanbe, 5 December 1990

Moldovan Program for Socioeconomic, Cultural Development of Villages Issued

Text of Program

914A0684A Kishinev SOVETSKAYA MOLDOVA
in Russian 17 Apr 91 p 3

[Text of "Program for the Socioeconomic and Cultural Development of the Villages of the Moldovan SSR"]

[Text] The proclamation of sovereignty of the Soviet Socialist Republic of Moldova and the transition to market relations in the economy dictate the necessity of strengthening the material-technical base of the social infrastructure of the village.

Provision to the rural population of the Moldovan SSR of medical institutions, schools, clubs, sports facilities, and other sites of social designation is significantly below the average union level.

During the period of transition to market relations, as each locality and each agricultural enterprise becomes an independent object of management, it is essential to change radically our approach to developing the social infrastructure of the village.

The essence of the present program consists in building, in the years 1991-2000, sites of sociocultural significance that meet the standards in all localities, thereby bringing the social infrastructure of the republic's villages closer to standard levels.

Medical Service

Health care in rural rayons is represented by a network of varied institutions. In most instances the material-technical base for medical institutions does not correspond to the demand evidenced. Thus, slightly more than 30 percent of district hospitals are housed in standard buildings. Nearly half the hospitals lack hot water, a third lack sewers; 28 hospitals with 1,700 beds, 68 outpatient clinics, and 17 pharmacies are in emergency condition. There are no outpatient clinics in 16 percent of the localities, where 190,000 residents reside.

At the basis of our calculation lies the principle of organizing medical service for districts with a radius of five km and no more than 4,000 residents. Each village should have an outpatient clinic and each village with more than 2,000 residents should have a pharmacy.

Bringing the material-technical base for medical institutions up to standard levels will allow for the provision to rural dwellers of specialized medical assistance at their place of residence in the amount of up to nine house calls per year instead of seven house calls at the present time.

In major localities with populations exceeding 7,000 people, as well as in certain rayon centers, we must construct hospitals of varying capacity totaling 10,000 beds, for which 500 million rubles (R) will be allocated. First of all, hospitals should be built in those rayons where there are one-three hospital beds per 1,000 residents.

The basic medical institution for the rural medical district will be the outpatient clinic. It is proposed to build medical outpatient clinics for 30,000 visits, which will require R51.3 million.

It is planned to build physician assistant-midwife centers in 450 villages, which will require the allocation of R42 million.

It is also planned to construct 175 pharmacies, for which R26.3 million will be allocated.

Overall, the construction of health care sites in the republic's villages will require capital investments amounting to R619.6 million.

Education

To improve the system of secondary education, we must accelerate the inculcation into school practice of new forms and methods of instruction (for example, the stream method), introduce new types of educational institutions (lycees, instructional complexes), and improve material facilities for the teaching process. All this requires significant capital investments.

Preschool Institutions

As of 1 January 1990, there were 1,596 kindergartens and nurseries with 164,000 places for the villages.

Approximately 60,000 places are located in makeshift structures and 8,200 places are in emergency condition.

Proceeding from the number of children of preschool age, which comes to 281,000 in the villages, and the standard envisaged of 75 percent inclusion of children by preschool institutions, we need to build kindergartens with 60,800 places.

First of all (in 1991-1993), we must build kindergartens in the 267 localities that do not have one. This affects the following rayons: Aneniy Noy, Grigoriopolskiy, Kelerashskiy, Rybnitskiy, Ryshkanskiy, Synzhereyskiy, Tarakliyskiy, Feleshtskiy, Khyncheshtskiy, Sholde-neshtskiy, and several others.

Over the course of the years 1992-1995, it will be necessary to make capital repairs or rebuild 116 kindergartens.

In the 65 localities with under 100 inhabitants that do not have kindergartens, it makes sense to build institutions permitting the joint housing of day care and elementary education. In villages with populations of between 101 and 500 people, 142 25-place kindergartens must be built, in villages of from 501 to 1,000 people, 28 50-place kindergartens, and in villages with over 1,000 people, according to established norms and utilizing standard plans, kindergartens with a capacity of 190 or 280 places.

Implementation of this portion of the program will require the allocation of R277.3 million.

Schools

Rural locales have 1,238 general education schools with 469,000 student places, of which 639 are secondary and 599 elementary and eight-year.

Proceeding from the number of children of preschool age and a standard envisaging 100 percent inclusion of children with uncompleted education, the number of student places in the schools significantly exceeds the standard demand (336,000). This is explained by the fact that many farms built schools in the expectation of increased numbers of children, whereas in the 1980s there was a tendency for school utilization to decrease.

Nevertheless, 521 rural localities either do not have schools or have schools in emergency condition. In 288 villages with from 101 to 1,000 residents, 236 elementary and eight-year schools with 24,800 places need to be built, and in villages of more than 1,000, 52 secondary schools with 20,300 places.

The total requirement for capital investments for these purposes amounts to R144.5 million.

Housing and Communal Economies

In the 1980s the volume of housing construction increased. From 1980 to 1988 the provision of living space per single rural inhabitant increased from 17.4 to 21.3 square meters.

The resolution of the housing problem by the year 2000 requires increasing the rural housing fund by a factor of nearly one and a half.

The present program does not take into account individual construction in the village, since the program of developing individual construction and supplying the republic's population with building materials worth R900 million has been dedicated to this.

Providing housing for rural doctors, teachers, workers in cultural-educational institutions, and other specialists requires the construction of approximately 1 million square meters of housing, which entails the allocation of R228.5 million in capital investments.

It is also proposed to construct a water supply network 3,200 km long, for which R32 million will be allocated.

A separate program has been worked out for the gasification of localities, which will require R500 million to implement.

Domestic Services

Rural residents of the republic receive half as many domestic services annually as those residing in the city. They utilize laundry services 17 times less and dry cleaning and rentals seven times less than do city residents.

In 672 rural localities (both medium-sized and large), where over 0.5 million people reside, there are in general no domestic service institutions. It is proposed to construct in the villages domestic services enterprises for 18,000 places, which will require R227.5 million in capital investments.

Bathhouses

Public bathhouses are lacking in 518 localities where more than 346,000 people reside.

Village bathhouses must be built with 518,000 places, which will require allocating R19.4 million.

Trade Services and Public Eating Facilities

As of 1 January 1990, rural locales had 5,194 stores with a total trade area of 347,727 square meters. For every 1,000 residents there are 151 square meters of trade area, or 81 percent of the standard of the first instance.

In 162 localities, food stores are located in makeshift buildings, and in 408 villages there are no manufactured goods stores, or they are in emergency condition.

In localities with up to 100 residents and in production zones distant from housing units, it is proposed to utilize various forms of trade services: stores in homes, a small retail network, and mail and retail trade by means of self-service stores filling orders for the population. In order to improve service it makes sense to organize small cooperative and family stores.

For localities with from 101 to 500 residents, stores should be built for the sale of everyday items with a trade area of 50 square meters. In localities with from 501 to 1,000 residents we must build stores of the same type but with more trade area (up to 100 square meters).

In all it is proposed to build 637 stores with trade area of 46,900 square meters, which will require R337.7 million in capital investments.

The villages have 616 open-type public eating facilities, totaling 32,500 seats, and 2,151 facilities in production zones totaling more than 67,500.

The provision of the rural population with seats in open-type public eating facilities equals 61.5 percent of the standard of the first instance.

Most stores and open-type public eating facilities are located in large villages, in rayon centers, and along transportation routes. There are no public eating facilities in 871 localities.

Cafeterias and cafes are proposed for construction in medium-sized and large localities with more than 1,000 residents.

In villages with up to 2,000 residents we must build 150 25-seat cafes and 55 40-seat cafes—5,950 seats in all.

In villages with more than 2,000 residents we should build 109 75-seat cafeterias, totaling 8,175 seats.

In small localities we will build 291 eight-seat refreshment bars and 201 12-seat refreshment bars, totaling 4,740 seats.

The construction of these public eating facilities totaling 14,125 seats will require capital investments in the amount of R58.7 million.

Cultural Institutions

There are no clubs in 283 localities in which approximately 214,000 rural residents live, and in 100 villages they are in emergency condition.

Proceeding from standard requirements for clubs, we should build in 99 villages with up to 500 residents 31 multiuse recreation-type buildings with a small library and a cinema. Total capacity should come to about 7,000 places.

In 43 villages with up to 1,000 residents, where over 30,000 people live, we must build clubs with a total capacity of 7,500 places, and in 76 villages with over 1,000 residents, where more than 155,000 people live,

houses of culture calculated on the basis of 250 places per 1,000 residents, for a total capacity of 38,800 places.

Construction is envisaged for cultural institutions with 18,600 places to replace buildings in emergency condition or located in makeshift structures.

The construction of various cultural institutions with an overall capacity of 71,900 places will require capital investments in the amount of R200 million.

Sports Facilities

Rural locales have 291 sports complexes, 240 stadiums, and 428 sports facilities.

In order to bring the provision to the rural population of sports facilities up to the standard requirement, it is proposed to build more than 300 sports facilities with an overall area of 180,000 square meters, which will require R90.6 million in capital investments.

Roads

Paved roads shall be built, connecting the villages and the farm centers of kolkhozes and sovkhozes with rayon centers. There are 224 such localities in the republic, and in them reside 122,100 people.

No less important a task is the construction of roads and sidewalks within the villages. In rural localities the extent of paved roads is only 24 percent of the total.

The construction in rural locales of 3,480 kilometers of roads will require allocating R206 million.

Implementing the present program will significantly strengthen the material-technical basis of the rural social infrastructure and will create approximately equal socioeconomic conditions of development for localities and agricultural enterprises during the transition to market relations.

It is proposed to allocate the necessary funds for this from the republic and local budgets and to carry out the construction mostly through the republic's Moldagrokonstruktsiya Association.

Decree on Program

914A0684B Kishinev SOVETSKAYA MOLDOVA
in Russian 17 Apr 91 p 3

[Decree issued by Moldovan SSR Supreme Soviet Chairman A. Moshanu: "Decree of the Moldovan SSR Supreme Soviet: On the Program for the Socioeconomic and Cultural Development of the Villages in the Moldovan SSR"]

[Text] Kishinev, 6 Feb—Having examined the draft Program for the Socioeconomic and Cultural Development of the Villages in the Moldovan SSR, the Supreme Soviet of the Soviet Socialist Republic of Moldova resolves:

To approve the Program for the Socioeconomic and Cultural Development of the Villages in the Moldovan SSR.

[signed] A. Moshanu, Chairman, Moldovan SSR Supreme Soviet, Kishinev, 6 February 1991